UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

Official Records

FOURTH COMMITTEE
7th meeting
held on
Tuesday, 15 October 1991
at 10 a.m.
New York

SUMMARY RECORD OF THE 7th MEETING

Chairman: Mr. FLEMMING (Saint Lucia)

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Hearing of petitioners

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91-56540 3990S (E)

Distr. GENERAL
A/C.4/46/SR.7
23 October 1991
ENGLISH
ORIGINAL: RUSSIAN

The meeting was called to order at 10.40 a.m.

REQUESTS FOR HEARINGS

1. The CHAIRMAN said that the Committee had before it a communication containing a request for a hearing on the question of Western Sahara (A/C.4/46/3/Add.1) under agenda item 19. If he heard no objection, he would take it that the Committee wished to grant the request.

2. It was so decided.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (A/46/23 (Parts V and VI), A/46/201, 336, 344, 359, 409; A/AC.109/1056-1059, 1060-1063, 1064 and Corr.1, 1065-1067, 1068 and Corr.1, 1069-1071, 1073, 1074 and Corr.1, 1075, 1077, 1078, 1079 and Corr.1, 1082; A/AC.109/L.1761; E/1991/116; S/21360 and S/22578)

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AGENDA ITEM 103: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (A/46/344 and 517)

3. The CHAIRMAN said that the Committee had before it the relevant chapters of the report of the Special Committee on the Situation with Respect to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the various reports of the Secretary-General, as well as other communications relating to the items under consideration.

4. Mr. SHAHEED (Rapporteur of the Special Committee on the Situation with Respect to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples) introduced the chapters of the report of the Special Committee relating to agenda items 19, 99, 101 and 12 (A/46/23 (Parts IV, V and VI)).

5. During the past year, the Special Committee had conducted an intensive review of its approach and methods of work. As a consequence, it had decided to consolidate the relevant decolonization principles that applied to 10 small

Territories in a single resolution, to be followed by short resolutions on specific conditions prevailing in each of those Territories. In Part A of the draft resolution, which appeared in Part VI of the report, the Special Committee reiterated that it was the responsibility of the administering Powers to create such conditions in the Territories as would enable their peoples to exercise their right to self-determination and independence, and that it was ultimately for the people of those Territories freely to determine their future political status. It called upon the administering Powers to facilitate programmes of political awareness, recommended that they give priority to strengthening and diversifying the economies of the Territories, and urged them to cooperate or continue to cooperate with the Special Committee by facilitating the dispatch of visiting missions to the Territories. Part B of the omnibus resolution contained brief resolutions drawing special attention to conditions, questions and problems specific to individual Territories. In addition, Parts V and VI of the report contained the Special Committee's recommendations regarding the Trust Territory of the Pacific Islands and New Caledonia and its decisions regarding Pitcairn and Saint Helena.

6. Turning to Part IV of the Special Committee's report, he said that the Special Committee noted the assistance extended thus far to the colonial Territories and considered that such assistance should be expanded further, commensurate with the pressing needs of their peoples. The Special Committee requested the specialized agencies and other organizations of the United Nations system to strengthen measures of support and formulate adequate programmes of assistance to the peoples of colonial Territories, bearing in mind that such assistance should not only meet their immediate needs, but also create conditions for development after self-determination and the attainment of independence. It recommended that the executive heads of the World Bank and the International Monetary Fund should draw the attention of their governing bodies to the resolution the draft of which was contained in Part IV of the report, and to consider introducing flexible procedures to prepare specific programmes for the peoples of the colonial Territories. It also urged the organizations of the United Nations system to adhere to the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, in particular with regard to increased support for the opponents of apartheid.

7. With respect to information transmitted under Article 73 e of the Charter, the Special Committee requested the administering Powers to transmit or continue to transmit to the Secretary-General the information prescribed in that Article, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories. It requested the Secretary-General to continue to ensure that adequate information was drawn from all available published sources in the preparation of working papers.

(Mr. Shaheed)

8. On behalf of the Special Committee, he expressed the hope that the Fourth Committee would give its full support to the recommendations of the Special Committee set forth in the draft resolutions and decisions.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued)

Question of New Caledonia

Hearing of petitioners (A/C.4/46/2 and Add.1)

9. At the invitation of the Chairman, Mr. Wamytan (Front de libération nationale Kanak socialiste) took a place at the petitioners' table.

10. Mr. WAMYTAN (Front de libération nationale Kanak socialiste) said that New Caledonia was one of the remaining colonial countries still deprived of its right to national sovereignty. New Caledonia had been made a French colony in 1853. As a result of their confinement to reserves, where the Kanaks were still deprived of the right to own land, and the flow of settlers from Europe and Asia, the Kanak people had become a minority in their own country. The Kanak people had responded to this aggression by a series of revolts and had always demanded the return of their land and sovereignty. For the last 30 years the policy of the colonial Government had been to strengthen the ties with France, in spite of the fact that almost 80 per cent of the Kanak of voting age regularly voted in favour of independence. In order to oppose integration with the colonial Power and to ensure its own survival as a people, the Kanaks had joined in confessional associations. Then, in 1984 the Front de libération nationale Kanak socialiste (FLNKS), uniting all the progressive parties calling for independence, had been founded.

11. In 1984 FLNKS had opposed the statute which was to be imposed on the territory and had organized a boycott of the elections. It had later had to struggle against the policy of oppression which had culminated in the massacre in Ouvea in May 1988 of 19 FLNKS members and the imprisonment in France of 30 others. The pressure of FLNKS had forced the Government to open a dialogue, which had led to the Matignon Agreement. The struggle of the Kanak people for decolonization and independence had been recognized by the international community, including the non-aligned countries and the South Pacific Forum. On 2 December 1986, the General Assembly had decided, in resolution 41/41 A, to again include New Caledonia in the list of Non-Self-Governing Territories to which the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1514 (XV)) applied.

12. The Matignon Agreement signed in June 1988 between FLNKS, the Rassemblement pour la Calédonie dans la République (RPCR) and the French Government was regarded by FLNKS as a minimum consensus platform made up of three planks: a non-aggression agreement; joint participation in the political and economic life of the country; amnesty for the political

(Mr. Wamytan)

prisoners and a series of measures to rectify the inequities inflicted on the Kanak population. The Territory's new statute provided for enlargement of the authority of three provinces and established a number of bodies dealing with rural development and land management, the recognition and encouragement of Kanak culture, accelerated training of personnel and the broadening of the possibilities for regional cooperation. Although it did not offer a clear prospect of independence, the Matignon Agreement established a basis on which independence could be built.

13. The RPCR and the French Government assumed that after the 1998 referendum New Caledonia would remain French. FLNKS, however, believed that the Kanak people and the other communities living in the Territory would attain independence in 1998. It was a difficult task to assure that outcome, as French colonialism was attempting to divide the population, but FLNKS was ready to accept the challenge. Three years after the Matignon Agreement, the situation was just beginning to take shape. In a number of important sectors, the country's movement towards independence was impeded by the fact that the rightists controlled the legal infrastructures, the Congress of New Caledonia, in which the RPCR had a majority, and the State, which was demonstrating no real political will. The adversaries of independence, taking advantage of New Caledonia's de facto colonial situation, were making enormous profits which they invested abroad. Moreover, it was possible that fulfilment of the commitments undertaken by the parties would be jeopardized as a result of political developments in France and New Caledonia. Nevertheless, although the limited nature of the 1988 Agreement was already apparent, the political behaviour of New Caledonia's ethnic groups augured well for the goals of FLNKS.

14. The Matignon Agreement had not yet had significant results ensuring that New Caledonia would attain independence. The cases of two political prisoners had not yet been decided in France. Although the compilation of the electoral lists was proceeding satisfactorily in the interior, difficulties were being encountered in Nouméa, where FLNKS had been given no information on the flow of immigrants. The Rural and Land Development Agency (ADRAF), which was responsible for redistribution of the land, had so far assigned only 30,500 hectares. After the purchase by the northern province, which was controlled by FLNKS, of a mining company and its use as a tool for the conquest of that sector by the Kanak people, the French State, through the State "Société le Nickel" had worked out a whole strategy to prevent control by the Kanak people of the "small miners". In the case of education, out of 100 Kanaks entering sixth grade, only 7 obtained the baccalaureate degree by the age of 20 and out of 100 New Caledonians receiving the degree only 13 were Kanaks. It was to be feared that fewer and fewer Kanaks would be able to enter professional training because of the lack of candidates at the required educational level. The access of Kanaks to posts in the public administration of the Territory was difficult because that administration was controlled by the local right. Moreover, FLNKS had demanded that the Government reduce its dependence on foreign aid by changing the import-export structure, establishing fiscal machinery to encourage development and making it possible to control the flight of capital abroad, and an equitable redistribution of

(Mr. Wamytan)

wealth. In the meantime, the southern province, which was controlled by the RPCR was still not investing in the two other provinces (controlled by FLNKS) but only in Nouméa or abroad.

15. All those problems would be discussed at the forthcoming meeting of the Committee To Monitor The Matignon Agreement. FLNKS wished to take up, inter alia, the questions of general social security coverage, tax reform, the environment - which involved the problem of migration from the northern province and islands to the southern province, land problems, the conclusion of development contracts with the State, reduction of the disproportion in the number of senior posts held by Kanaks in public administration, education and vocational training, and electoral redistricting in order to ensure that FLNKS would be represented in the French National Assembly after the next elections.

16. FLNKS appealed to the United Nations to call on the French Government to implement New Caledonia's decolonization, to keep New Caledonia on the list of Non-Self-Governing Territories and to send a mission to New Caledonia to follow the development of the process and to supervise the extent to which the process could lead to independence. It would be appropriate for the Fourth Committee to refer to the resolution on the question of New Caledonia adopted at the twenty-second session of the Pacific Forum. A referendum on the question of self-determination should be held in accordance with the principles and practices of the United Nations. FLNKS also called for the regular submission of information on the situation in New Caledonia by the Administering Power in accordance with the provisions of Article 73 e of the United Nations Charter.

17. Mr. Wamytan withdrew.

18. At the invitation of the Chairman, Mr. Uregei (Front uni de libération Kanak) took a place at the petitioners' table.

19. Mr. UREGEI (Front uni de libération Kanak) pointed out that France had special interests in relation to New Caledonia and the South Pacific region as a whole, and any political status like the one imposed on that territory by the Matignon Agreements, was designed first and foremost to safeguard the interests of French imperialism in the region. Were the Matignon Agreements really in effect now that three years had elapsed since their signature? Mr. Tjibaou was no longer alive, Prime Minister Michel Rocard had resigned and the Parti Libération Kanak had withdrawn from the group which had signed the Agreement because France had succeeded in making those in favour of the struggle for independence accomplices in denigrating that struggle. There remained only Jacques LaFleur, President of RPCR, who had already proposed to FLNKS a statutory consensus for autonomy prior to the 1998 referendum.

20. FLNKS, which had signed the Matignon Agreements, was pursuing a contradictory policy. It bore the heavy responsibility for enlisting international support for the plan of French colonialism, the implementation of which would by no means guarantee the independence of the Kanaks. While claiming to be pursuing the goal of development, FLNKS was in fact pursuing a

policy of dividing the Kanak people and was thus playing into the hands of French colonialism. However, that policy had merely caused FLNKS to lose its influence, as demonstrated by the fact that the recent FLNKS convention in Ponerihouen had been attended by only 60 delegates, whereas before the signing of the Agreements 4,000 delegates had attended the FLNKS convention in Arama. Thus FLNKS was no longer a representative organization. In those circumstances could it still claim to be the legitimate representative of the Kanak people, who had strongly condemned its policy?

21. French colonialism's plan, which was aimed at transfer ownership of the land, which was owned collectively by the Kanak people, to private hands and was ostensibly being implemented in the interests of development, was in fact contrary to the interests of the Kanaks. Transferring the land to private ownership and pursuing a policy of unbridled development were part of the colonial assimilation and integration plan directed against the independence of the Kanaks.

22. The Matignon Agreements would spell destruction for Kanak culture and customs. They would be a tragedy for the Kanak people. The genius of Michel Rocard lay in having been able to induce the independence lobby itself to pursue in anti-independence, anti-tradition policy.

23. With regard to the statutory autonomy consensus, that idea had repeatedly been condemned by FULK. The fact was that if it came about, the next stage would be to give the territory the status of an associate State of France, thus enabling the latter to maintain its colonial domination. By inviting FLNKS to discuss the question of a statutory autonomy consensus before the 1998 referendum, though after the 1995 provincial elections, RPCR, which was sure of victory in the referendum, was luring FLNKS into a trap in order to achieve its goals even before the referendum was held. In addition, it was worth recalling that Jacques Chirac, then Prime Minister, had declared in May 1975 that the idea of internal autonomy as such was already outdated and that, if a choice had to be made, it would have to be between the status of a French <u>département</u> and independence.

24. On 26 July 1991 the President of RPCR had approved the idea put forward by the President of the Caledonian Union, one of the components of FLNKS, to the effect that the 1998 referendum should be simply a question of ratifying the consensus agreement regarding the legislative status of the territory. Such political manoeuvres were not new; the French Government had traditionally used the Caledonian Union to foist its colonial policy on FLNKS.

25. The signing of the Matignon Agreements meant that the resolution of the real problems of the Kanak people would be postponed for 10 years. Over the period for which they had been in effect, the social conflicts in the territory had only grown worse. There had been no change in the colonial basis of the social structure in New Caledonia.

26. During their visit to New Caledonia, the representatives of the South Pacific Forum had been informed that the Forum's support for independence for

(Mr. Uregei)

the Kanaks was being nullified as a result of the implementation of French colonialism's plan. Furthermore, knowing that the Matignon Agreements did not guarantee Kanak independence, some South Pacific Forum countries were happy to see the contradictory position on the part of FLNKS continue, because they preferred to look after improving their own diplomatic and trade relations with France and other European countries.

27. Despite the International Decade for the Eradication of Colonialism, France had managed, by anti-democratic means and in order to protect its own interests, to impose on New Caledonia a 10-year plan for the recolonization of the Kanak people. Moreover, the establishment of a single European market in 1992 would further strengthen France's imperialistic hold on the territory.

28. Considering the failure of FLNKS policy, FULK, which advocated immediate independence for the Kanaks, had called on the entire Kanak people to restore its unity through a General People's Congress to be convened on 25 January at Lifou. It would be held within the framework of a plan to establish a society of the Kanak people which recognized that power belonged solely to the Kanak people, and rejected political labels that had served to promote division in the ranks of the Kanaks.

29. He invited the Committee to send a mission to New Caledonia to consider the situation in the context of its programme of action for the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

30. Mr. Uregei withdrew.

Question of the United States Virgin Islands

Hearing of petitioners (A/C.4/46/5)

31. At the invitation of the Chairman, Miss Judith L. Bourne took a seat at the petitioners' table.

32. Miss BOURNE (Long Bay Coalition), referring to the controversy over the degradation of the waters of the Charlotte Amalie harbour and the detrimental development of its shoreline by the West Indian Company Ltd, said that although the Treaty of Cession of 1917, by which the United States of America had purchased the United States Virgin Islands from Denmark, had committed the United States to maintain a concession to the West Indian Company Ltd, the terms of the concession had never been clarified. It involved certain uses of the harbour by the company for its commercial purposes and maintenance by the company of the harbour's navigability. The Treaty of Cession also provided that all questions of interpretation or application of the Treaty were to be resolved through diplomatic contact or, failing that, through recourse to international arbitration.

(Miss Bourne)

33. In 1968 the administering Power had brought a lawsuit against WICO asking the court to confirm that whatever rights WICO might have had under the 1913 "concession" had lapsed. In 1972 the United States judge assigned to hear the case had recommended that the Government of the Virgin Islands request the Government of the United States to settle the matter. The then Governor and legislature of the United States Virgin Islands had confirmed the settlement agreement by legislation. Yet that "agreement" purported to take action which was of no legal effect because, among other reasons, it was beyond the power of the Government to convey submerged lands to a private commercial interest. After the signature of the "agreement" in 1974, the administering Power had conveyed all submerged and filled lands to the Government of the Virgin Islands.

34. Four years after the signing of the "agreement" the Virgin Islands had enacted the Coastal Zone Management Act. WICO had claimed that the Act was a breach of that "agreement" and threatened to sue the Virgin Islands Government for $US 5 million if its "rights" under the agreement were not exempted from the Act.

35. After the enactment of the exemption, WICO had taken the position that it should be given all necessary permits for commercial activities without the usual public hearings. There had been renewed public outcry, and in 1983 new hearings had been held. At the hearings most of the speakers had vociferously opposed the project. When word came that the Company was about to begin dredging in the harbour in the spring of 1986, the Save Long Bay Coalition Inc. had been formed with representatives of a number of organizations.

36. On 7 July 1986 the legislature had voted to repeal the "agreement" and the exemption. The then Governor had vetoed the repeal, but the veto had been overridden by the legislature in early August. Faced with that act of the people of the Virgin Islands, WICO had turned to the courts of the administering Power and filed a suit against the Virgin Island Government to overturn the repeal act. The courts of the administering Power had refused to consider the international law issues raised or the distinctive status of the Virgin Islands as a Non-Self-Governing Territory. Instead, utilizing principles of law which had been developed with regard to the constituent units of the United States, they had ruled in favour of WICO. The Supreme Court of the United States had then refused to hear an appeal on the grounds that, as an unincorporated territory and not a constituent part of the United States, the Virgin Islands did not have a right of appeal. The current Governor of the Virgin Islands, the Honourable Alexander A. Farrelly, had sent a letter to the United States Secretary of State requesting that the administering Power affirm that the controversy involved the interpretation and application of an international agreement which by its terms required that such a dispute be resolved by specified non-judicial means, but that letter had gone unanswered. The United States State Department had taken a strictly "hands off" attitude which was not in accord with General Assembly resolution 43/44 of 22 November 1988. The State Department had suggested that the

(Miss Bourne)

territorial Government should accept its loss of authority and control, or utilize the power of eminent domain to purchase the submerged and filled lands from the Company.

37. The harbour of Charlotte Amalie, St. Thomas, was important both as a hatchery for crabs, lobsters and fish and as a port. WICO's dredge and fill operations had reduced the aquatic fishery area and had also encroached on the sea lane around a major marina. WICO was now proposing intensive development which would wall off the community from the sea by the construction of multi-storey commercial buildings. It also planned to build the largest tourist/marina/shopping complex in the Territory right next to the dock. Those actions would be catastrophic for the surrounding community.

38. The Government of the United States Virgin Islands, through Governor Farrelly, had made it clear that it did not accept that limiting of its sovereignty over its navigable waters and submerged lands. The Virgin Islands delegate to the United States Congress had publicly declared the need for the Government to regain ownership of the land.

39. In 1989 Governor Farrelly had publicly said that he could not responsibly promise to exercise eminent domain when the territory did not have the resources to purchase the property. He had requested that the administering Power assist in the acquisition of the funds necessary for the use of the power of eminent domain. Given the lack of substantive response to date on that issue by the administering Power, it was appropriate for the Committee to urge the administering Power to take action to assist the territorial Government in that regard.

40. Miss Judith L. Bourne withdrew.

AGENDA ITEM 101: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS

Hearing of petitioners (A/C.4/46/L.7)

41. At the invitation of the Chairman, Mr. González-González took a place at the petitioners' table.

42. Mr. GONZALEZ-GONZALEZ, noting that the list of 25 specialized agencies and international institutions in document A/46/229 included important organizations such as ILO, UNESCO, WHO, WFP and UNICEF, said he wondered why there were no representatives of those organizations in the meeting-room. They should take part in the consideration of an agenda item which directly concerned them and should inform the Committee of the work they had done in the Non-Self-Governing Territories, since that question was of interest to the representatives of all 19 Territories.

(Mr. González-González)

43. Some specialized agencies tended to limit their activities to only a few Non-Self-Governing Territories, which could perhaps be explained by economic or political factors. On the one hand, in some cases they apparently did not have the necessary financial resources to carry out their work in different Territories. On the other hand some administering Powers clearly did not admit representatives of specialized agencies to the territory of their colonies.

44. In the light of those considerations, representatives of the specialized agencies must take an active part in the work of the Fourth Committee and the Special Committee on Decolonization. To that end the Fourth Committee secretariat should maintain contacts with the offices of those organizations in New York and duly concern itself with their participation in the work of the Committee.

45. He did not see how the work of the specialized agencies contributed to the struggle of peoples for independence and to the complete eradication of colonialism. Now, 30 years after the adoption of General Assembly resolution 1514 (XV) of 14 December 1960, greater attention should be paid to securing the sovereignty and freedom of the 19 enslaved peoples, rather than to the provision of technical and economic assistance which could very well be provided after the attainment of independence.

The meeting rose at 12.20 p.m.

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

Official Records

FOURTH COMMITTEE
8th meeting
held on
Friday, 18 October 1991
at 10 a.m.
New York

SUMMARY RECORD OF THE 8th MEETING

Chairman: Mr. FLEMMING (Saint Lucia)

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General debate

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Distr. GENERAL
A/C.4/46/SR.8
28 October 1991
ENGLISH
ORIGINAL: RUSSIAN

The meeting was called to order at 10.25 a.m.

REQUESTS FOR HEARINGS

1. The CHAIRMAN said that the Committee had before it a communication containing a request for a hearing relating to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (A/C.4/46/7/Add.1). If he heard no objection, he would take it that the Committee wished to grant the request.

2. It was so decided.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued)

Question of Western Sahara

Hearing of petitioners (A/C.4/46/3 and Add.1)

3. At the invitation of the Chairman, Mr. Mohktar (Frente POLISARIO) took a place at the petitioners' table.

4. Mr. MOHKTAR (Frente POLISARIO) said that, thanks to the constant efforts of the United Nations and the Organization of African Unity, and to the significant concessions made by the Saharan side, it had finally been possible to adopt a peaceful plan for the decolonization of Western Sahara.

5. The international community, which had formulated the plan and provided broad material and financial support, could now legitimately ask what stage had been reached in its implementation. The most important step that had been taken had been the entry into force of the cease-fire on 6 September, achieved as a result of the persistence of the Secretary-General and the unanimity of the members of the Security Council. The Frente POLISARIO and the Government of the Saharan Arab Democratic Republic, however, were deeply concerned about recent events in Western Sahara. Morocco had officially declared its recognition of the peace plan, but was systematically violating the obligations it had assumed. First, the Government of Morocco was trying to make it possible for tens of thousands of Moroccan citizens to take part in the voting under the referendum, instead of the electors envisaged in the plan, so as to undermine the process of the referendum in Western Sahara; second, since the entry into force of the cease-fire, the Moroccan side had already violated it nine times, and Moroccan military aircraft, in violation of the cease-fire provisions, were making flights over Saharan positions in the liberated territory; third, although it was envisaged in the peace plan that the referendum should be held under conditions guaranteeing freedom and security, so that the people of Sahara could freely determine their fate, the Moroccan authorities in the regions they occupied were virtually maintaining a

state of siege and had not yet released dozens of peaceful inhabitants of Sahara from detention; and, fourth, Morocco was trying to have the referendum held in an atmosphere of terror, without independent observers and representatives of the international press.

6. All those facts could be verified, and many of them were already known to the international community. In the view of the Saharan side, the implementation of the peace plan was being jeopardized by the position of Morocco, in defiance of world public opinion as clearly expressed by the General Assembly and the Security Council.

7. The Saharan side would continue to cooperate with the United Nations to ensure the successful fulfilment by the United Nations Mission for the referendum in Western Sahara (MINURSO) of the noble peace objective established for it by the international community.

8. Mr. Mohktar withdrew.

9. At the invitation of the Chairman, Mr. Knight (Sahara Fund) took a place at the petitioners' table.

10. Mr. KNIGHT (Sahara Fund) said that the international community should consider the referendum in Western Sahara as valid only if it was conducted in a free and fair manner. The key task of the United Nations prior to the referendum was to establish voter eligibility, and in that respect it must adhere strictly to the census of the Saharan population conducted in 1974 by Spain. Currently the timetable for the referendum in Western Sahara had been delayed because Morocco refused to accept the United Nations update of the census, which listed over 70,000 eligible Saharan voters.

11. Only 10 days after the formal cease-fire of 6 September 1991, Morocco had called on its citizens to undertake another so-called "green march" with a view to forcing the United Nations to recognize Moroccan citizens as eligible voters. Without counting the new arrivals, the number of Moroccans who had settled in Western Sahara since 1975 would outnumber the civilian population of Sahara at the time of the vote. Those actions were a cynical move on the part of Morocco to predetermine the outcome of the referendum and thus guarantee the integration of the former Spanish Sahara with Morocco.

12. Another obligation of the United Nations was to ensure that a proper atmosphere for the referendum was established in Western Sahara without further delay. The United Nations must insist that the inhabitants of Sahara should be allowed to address openly the issue of sovereignty and make an informed choice between integration with Morocco and independence. If a free and open campaign was to take place, a wide and unrestricted range of information must be disseminated about that question. That implied that Saharan supporters of each option must have equal access to the media. Currently those requirements were far from being met.

(Mr. Knight)

13. In order to understand the general picture in Western Sahara, it should be noted that the Kingdom of Morocco had total control of essential services in Western Sahara, and Moroccan forces, in violation of the relevant decisions of the United Nations, enjoyed complete freedom of movement in Western Sahara. He asked whether the United Nations was prepared to take sanctions against the Kingdom of Morocco if the Moroccan Government continued to sabotage the peace process by intensifying the atmosphere of intimidation.

14. The fears of the Saharan people were real; they had endured severe repression since 1975. The Moroccan authorities had released several hundred formerly missing Saharan civilians, but at least 800 and perhaps well over 1,000 Saharan civilians still languished in detention centres or were dead. The United Nations would need to take up those matters, particularly since King Hassan had declared that there were no political prisoners in Morocco. The Secretary-General of the United Nations should establish an independent referendum validation board and invite international observers to Western Sahara to monitor the conduct and results of the referendum. The international community must be vigilant and ensure that the pre-electoral preparations were conducted justly. The Security Council must stop any attempts to undermine the referendum process.

15. Mr. Knight withdrew.

Question of Pitcairn

Hearing of petitioners (A/C.4/46/8)

16. At the invitation of the Chairman, Mr. Gonzalez Gonzalez took a place at the petitioners' table.

17. Mr. GONZALEZ GONZALEZ, referring to the question of Pitcairn, on which information was contained in document A/AC.109/1057, said he wondered whether the United Kingdom, as the administering Power, intended to grant independence to the people of that Territory.

18. It was impossible not to notice that document A/46/23 (Parts V and VI) abounded with very mild formulations, vague generalizations and concessions to the imperialist countries. He was firmly convinced that the Special Committee on decolonization and the Fourth Committee must abandon their needlessly diplomatic tone and in future adopt resolutions that were resolute and firm.

19. The draft decision on the question of Pitcairn (A/46/23 (Part VI)) reaffirmed the right of the people of Pitcairn to self-determination but passed over in silence its right to independence, which had found expression in the resolutions on all the other Territories with the exception of New Caledonia. He protested that that Territory and the people of Pitcairn had been denied the right to independence.

(Mr. Gonzalez Gonzalez)

20. Although the United Kingdom had announced its intention to grant the peoples of all its colonial Territories the opportunity to determine their future status, for 30 years it had been violating paragraph 5 of General Assembly resolution 1514 (XV) of 14 December 1960, which made reference to the need to take such steps immediately. Furthermore, by demanding that self-determination should not be equated exclusively with independence and that other alternatives should also be examined, the United Kingdom was apparently disregarding the fact that the Special Committee only considered questions of independence and was governed in its work solely by resolution 1514 (XV). The United Kingdom must state honestly whether it intended to implement the requirements of that resolution with regard to Pitcairn.

21. He requested that the draft decision on the question of Pitcairn should be amended by insertion after the word "self-determination" of the words "and independence". He also requested that the third preambular paragraph of the draft resolution on the question of New Caledonia should be amended in the same way, after which the fourth preambular paragraph could be deleted.

22. In his view, all resolutions and decisions must reaffirm more clearly and precisely that the General Assembly was determined to put an end to all forms of colonialism by the year 2000 and must call upon the administering Powers to inform the United Nations as soon as possible as to when they would recognize their colonies as being free, sovereign and independent States.

23. In closing, he asked the Chairman to verify information that he had received according to which the United Kingdom planned to remove the inhabitants of Pitcairn from that Territory.

Question of the Trust Territory of the Pacific Islands

Hearing of petitioners (A/C.4/46/6)

24. Mr. GONZALEZ GONZALEZ, referring to the question of the Trust Territory of the Pacific Islands, said that 15 years after the United States and the United Nations had reached an agreement on Micronesia, the General Assembly had adopted resolution 1514 (XV) of 14 December 1960, which applied to all Trust Territories without exception. Paragraph 8 of General Assembly resolution 1654 (XVI) of 27 November 1961 requested the Trusteeship Council to assist the Special Committee on decolonization with questions concerning Trust Territories. In neither case had the United States cited Article 83 of the Charter or voiced an objection.

25. The Security Council, granting the request of the Trusteeship Council, in other words, of the United States, had released that country from the obligation of administering three of the four entities in the Trust Territory, with the exception of the Marianas, although those entities had requested a postponement of that decision. Whereas two of the three entities had eventually become States Members of the United Nations, the Marianas still had an undefined legal status.

(Mr. Gonzalez Gonzalez)

26. The Fourth Committee must consider the question of the Marianas in the light of resolution 1541 (XV), and in order to ensure that the resolution applied to that Territory, the Marianas must be included in the list of Territories under the competence of the Special Committee.

27. Mr. Gonzalez Gonzalez withdrew.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued) (A/46/23 (Parts V and VI), A/46/201, 336, 344, 359 and 409; A/AC.109/1056-1063, 1064 and Corr. 1, 1065-1067, 1068 and Corr. 1, 1069-1071, 1073, 1074 and Corr. 1, 1075, 1077, 1078, 1079 and Corr. 1, 1082; A/AC.109/L.1761; E/1991/116; S/21360, S/22578)

AGENDA ITEM 99: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued) (A/46/23 (Part IV (chap. VII)), A/46/516)

AGENDA ITEM 101: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued) (A/46/23 (Part IV (chap. VI)), A/46/229)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/46/3 (chaps. I and VII (sect. C)))

AGENDA ITEM 103: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (continued) (A/46/344, 517)

General debate

28. Mr. Van SCHAIK (Netherlands), speaking on behalf of the European Community, and its 12 member States, said that in the field of decolonization, attention had been focused in 1991 on the process under way in Western Sahara. The Twelve considered that that process represented an important step towards a just and lasting settlement of the conflict in Western Sahara on the basis of a referendum on self-determination, and they strongly supported the efforts of the Secretary-General and his Special Representative to secure full implementation of the United Nations plan.

29. The Twelve reiterated their support for contacts on East Timor between Portugal and Indonesia under the auspices of the Secretary-General and hoped that the forthcoming visit of the Portuguese parliamentary delegation to East Timor would help create an atmosphere conducive to a just, comprehensive and internationally accepted settlement in line with the purposes and principles of the Charter.

(Mr. Van Schaik, Netherlands)

30. The Twelve States members of the European Community were disappointed that the efforts undertaken to rationalize the work of the Fourth Committee and to seek consensus on the draft resolutions and decisions adopted by it had not so far succeeded. A number of draft resolutions and decisions had been presented which revealed their sponsors' refusal to acknowledge changed world realities and which contained provisions and language that did not serve the real interest of the remaining Non-Self-Governing Territories.

31. The Twelve did not agree with the view that all the remaining Non-Self-Governing Territories had failed to exercise their right to self-determination solely because that right was denied to them by the administering Powers. Discussions in the Committee should concentrate on issues relevant to the remaining Non-Self-Governing Territories, and consideration of apartheid in the framework of decolonization was irrelevant.

32. The Twelve would welcome efforts aimed at reforming and rationalizing the work of the Fourth Committee. The continuation of consultations among its members was worthy of attention. In that context, the Twelve would continue trying to suppress irrelevant, confrontational language, eliminate name-calling and avoid duplication of work, particularly in the hearing of petitioners. They would also continue to oppose taking up the decision on "military activities", which did not appear on the list of agenda items allocated to the Fourth Committee. Finally, the Twelve favoured the incorporation of the agenda of the Special Political Committee into the work of the Fourth Committee, on the understanding that the full scope of both Committees' proper competence would be maintained.

33. Mr. de la SABLIERE (France), referring to the question of New Caledonia and noting that France had not lifted its reservations on the United Nations competence to consider the question, dwelt briefly on the fundamental provisions of the Matignon Accords signed on 26 June 1988. At three meetings of the Committee supervising the implementation of those Accords, the results achieved in the political and financial spheres and in the field of education and vocational training had been pronounced basically satisfactory, as had the results of measures to ensure balanced development of the Territory. The situation in the Territory had remained calm over the past three years. The institutions and structures envisaged by the Accords had been established. The Assemblies elected for the three provinces by direct universal suffrage in June 1989 were exercising full powers. Work on revising the electoral registers was continuing in order to determine exactly who should participate in the referendum on self-determination. Special attention was being paid to personnel training. A number of measures had begun to be implemented in that field - measures that had required a significant financial contribution from the French Government, in particular for the training programme for 400 administrative officials, mainly Melanesians. Efforts to align the levels of social and economic development of the three provinces had led to the establishment of several thousand posts, and several hundred projects to develop and improve the infrastructure had begun to be implemented. In every

(Mr. de la Sabliere, France)

case, top priority was being given to the North Province and the Loyauté Islands. Of the land redistributed in 1990 alone, 75 per cent had been transferred to individuals or legal entities of Melanesian origin. Great importance was being attached to cultural development and the Kanak Cultural Development Agency was playing a very positive part in ensuring that the distinctiveness and dignity of the Melanesian community was recognized.

34. With regard to the draft resolution on the question of New Caledonia submitted to the Fourth Committee, his delegation was pleased that the text took account of the positive changes in New Caledonia over the past three years and that it noted in particular the dialogue established between the interested parties under the auspices of the French Government. However, France's reservations regarding the competence of the United Nations to deal with the question of New Caledonia were well known. Those reservations had firm legal foundations. One such foundation was Article 73 of the Charter, which conferred exclusive competence in matters concerning the determination of the future of Non-Self-Governing Territories to the States which bore responsibility for administering them. No General Assembly resolution could change that provision of the Charter. Moreover, the Matignon Accords rested on a delicate balance and any attempt to impose arrangements on the Territory which had not been accepted by all the interested parties would be seen as partial.

35. The Government of France attached the greatest importance to New Caledonia's harmonious involvement in the activities of the South Pacific community and to the development of its political, economic and cultural links with the States of the area. France was therefore encouraged by the growing support shown by the countries of the area for the process that had begun in 1988.

36. To French eyes, it was a particular virtue of that process that the various parties in New Caledonia, without in any way renouncing their convictions, had agreed to cooperate to achieve a common aim, which was to prepare the inhabitants of the Territory to exercise their right to self-determination in 1998 freely and without interference from outside. The French authorities, for their part, were absolutely determined to continue their policy of consistently implementing the Matignon Accords, out of fidelity to the principle of according peoples the right to take their destiny into their own hands and taking into account the highest interests of New Caledonia.

37. Mr. YAQUBI (Afghanistan) said that, despite all the difficulties in implementing the Declaration on the Granting of Independence to Colonial Countries and Peoples, many oppressed peoples had achieved great successes in their rightful struggle to gain independence and sovereignty. His delegation welcomed the positive developments towards achieving a settlement of the problem of Western Sahara and self-determination for its people, and had high regard for the role played by the Secretary-General and the interested parties

(Mr. Yaqubi, Afghanistan)

in that process. Unfortunately, some people and Territories still remained non-self-governing, but Afghanistan hoped that one day they would freely exercise their sovereignty and establish control over their natural and human resources, and wished to express its firm support for the struggle of colonial peoples to achieve independence.

38. Ms. LIU Sha (China) said that, in the 31 years since the adoption of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, the peoples of many colonies and Non-Self-Governing Territories, encouraged by its spirit, had freed themselves from the yoke of colonialism and become masters of their own fate after a long and stubborn struggle supported by the international community.

39. The disintegration of the colonial system reflected the inexorable trend of historical development, but the remnants of colonialism had not been completely eliminated and the threat posed by hegemonism and power politics still remained. Despite the great successes achieved, the process of decolonization had not yet been completed. The peoples of colonies and Non-Self-Governing Territories had the right to national self-determination, to a free choice of political status and to decide independently on matters of social and economic development. No country had the right to deploy troops and establish military bases in such Territories.

40. Over a dozen Non-Self-Governing Territories, small in size and population, still remained in the world and the United Nations should pay more attention to satisfying their peoples' aspirations. Her delegation was confident that the Fourth Committee, acting in accordance with the Charter of the United Nations and the provisions of the Declaration, would continue its work to achieve self-determination for such peoples, as soon as possible, and the final elimination of colonialism. That would help to complete the process of decolonization by the year 2000.

41. Her delegation appreciated the progress made over the past year towards a peaceful settlement of the question of Western Sahara and hoped that its people, under United Nations supervision and with the assistance of the Organization of African Unity, would decide their future political status legitimately through a free and fair referendum. In closing, she said her delegation was willing to continue working with other Member States in order to improve the work of the Fourth Committee and the Special Committee on decolonization and to make it more effective.

42. Mr. URIARTE (Chile) said that, although in the past the Committee had carried out extensive and important work, it had also been criticized, which should not surprise anyone in view of the fact that all United Nations bodies were now being subjected to analysis and study in order to restructure them in the light of the new tasks facing the Organization in the new international situation. The decisions arrived at during consultations in the Special Committee on decolonization were an example of how difficulties that arose

(Mr. Uriarte, Chile)

could be overcome. In that connection, his delegation proposed that the Fourth Committee should complete those consultations by setting up a special working group and other appropriate mechanisms. At the same time, the efforts to improve the work methods of the Fourth Committee should not be detrimental to the decolonization process.

43. It was regrettable that there were still Non-Self-Governing Territories and it was necessary to take all measures to ensure that there were no remaining colonial Territories by the end of the decade. Nevertheless, the task of the United Nations was not only to ensure that the peoples and the Territories in question achieved self-determination, but also to provide them with the necessary assistance afterwards and see to it that their accession to the international community was beneficial and not detrimental to the welfare of their people. In that connection, the administering Powers must promote efforts to achieve those goals by punctually submitting updated information on the political, economic and social situation in the Territories under their administration.

44. Mr. MURDOCH (Antigua and Barbuda) said that his country was one that had gained independence through the work of the United Nations in the field of decolonization. He was thus speaking as a representative of a State in whose region could be found the greatest number of dependent Territories in the world. Their fate was inextricably bound up with the fate of the independent small States of the Caribbean.

45. In 1967, when his country had moved one step closer to independence, the prevailing wisdom had held that a small country with a population of fewer than 68,000 people could not hope to be fully independent. Certainly, independence posed new challenges to the Territories that had achieved it. The attention of every Caribbean island Government was focused on measures to improve the living standard of their people. Economic viability, which was possible through the successful exploitation of resources, was the only real barrier to independence. Since the administering Powers in the region constituted a representative sample of the most powerful States in the world, it was possible there to adopt bold approaches towards the decolonization process and resolve more successfully the questions of economic viability.

46. The time had come to adopt new approaches tailored to the particular situation of the small, geographically remote, dependent Territories. His delegation would continue to advocate reform within the United Nations system in the area of decolonization. The many resolutions adopted on the inalienable right of the peoples of the Non-Self-Governing Territories to self-determination and independence clearly stated that it was the responsibility of the administering Powers to create the necessary conditions in those Territories in order to enable the people to exercise that right. The fulfilment of that obligation must be evaluated on the basis of impartial information and in an atmosphere conducive to full and free discussion.

(Mr. Murdoch, Antigua and Barbuda)

47. His country advocated speedier action in the field of decolonization in order to fulfil the mandate given by the General Assembly when it proclaimed the International Decade for the Eradication of Colonialism. The challenge lay in developing flexible and politically honest approaches to the implementation of that mandate, while keeping under close examination the political, constitutional and socio-economic relationships between the Non-Self-Governing Territories and the administering Powers. It might therefore be useful to obtain a United Nations advisory opinion on the applicability of international law to the decolonization process pertaining to the remaining Non-Self-Governing Territories.

48. The decolonization process had entered a new and difficult phase, resulting from the small size of the Non-Self-Governing Territories and the need for reform within the United Nations system. It was an opportune time to refocus on the major guiding principles of decolonization, particularly Article 73 of the Charter of the United Nations, and to bear them constantly in mind when addressing the issue of administrative reform within the Organization's system. The mandate set forth in Article 73 required the United Nations to lift the veil on political discourse in each Non-Self-Governing Territory and endeavour to ensure that those peoples in the Caribbean, the Pacific and elsewhere were guided towards genuine self-determination. Once that was done, there would be no reason to fear for those small Territories, whose socio-economic, political and constitutional aspirations were no less important than those of larger Territories.

49. Mr. GRIFFIN (Australia) said that the task of reforming and renewing the United Nations system was doubly urgent in the work of decolonization, where the countdown was already well under way towards the year 2000, the target date for achieving the goal of the complete eradication of colonialism. His delegation was heartened by the progress achieved in reshaping the resolutions on the remaining Non-Self-Governing Territories, whose circumstances required sensitive and carefully modulated handling on the part of the Committee.

50. That approach, however, was not in evidence in all the texts before the Committee. In several instances, the language used was that of a bygone era and was remote from current political realities and the pressing needs and concerns of most of the Territories, whose progress towards self-determination the Committee had been charged to oversee. As a neighbour of several of those Territories, Australia deeply regretted that and urged the adoption of a more enlightened and forward-looking approach.

51. His country attached particular importance to the situation of New Caledonia, where the question of decolonization was particularly complex and required sensitivity, cooperation and goodwill from all the parties involved. The interests of New Caledonia and regional stability required a peaceful, orderly transition to genuine self-determination in which all options, including independence, were open and which would safeguard the rights of the indigenous Kanaks and those of all other New Caledonians. In that regard,

(Mr. Griffin, Australia)

Australia had been much encouraged by the progress made in the three years since the signing of the Matignon Accords between the French Government and the two main political groups in the Territory, the Front de libération nationale Kanak socialiste (FLNKS) and the Rassemblement pour la Calédonie dans la République (RPCR): a new political structure had been set up, involving devolution of powers from the central authorities to provincial institutions. An environment had been created in which the right of New Caledonians to self-determination could be exercised. The divisions had given way to a habit of dialogue and consultation; and there was a growing pattern of exchanges with neighbouring countries.

52. The Matignon Accords were not an end in themselves but provided a framework designed to foster a favourable climate for New Caledonia's progress towards self-determination. The forthcoming major review in 1992 of the implementation of the Accords was an opportunity for the parties to renew their commitment to ensuring that the spirit of Matignon was maintained and that New Caledonia's progress towards self-determination remained peaceful.

53. The Committee would soon be considering a draft resolution on the question of New Caledonia, which had been unanimously adopted by the Special Committee on decolonization. His delegation hoped that that resolution would be adopted by consensus.

The meeting rose at 1 p.m.

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

Official Records

FOURTH COMMITTEE
9th meeting
held on
Monday, 21 October 1991
at 10 a.m.
New York

SUMMARY RECORD OF THE 9th MEETING

Chairman: Mr. FLEMMING (Saint Lucia)

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued)

Hearing of petitioners

1. The CHAIRMAN pointed out that he had informed members of the Committee at its second meeting that he had received a letter from Mr. Carlyle Corbin, representative of the Governor of the United States Virgin Islands (A/C.4/46/5) requesting that he be given an opportunity to make a statement. He proposed that the request should be granted.

2. It was so decided.

3. Mr. CORBIN (representative of the Governor of the United States Virgin Islands) said that his Government saluted the achievements of the United Nations in the field of decolonization, but did not consider that the process had ended with the independence of Namibia. It should rather be intensified in order to deal with the specific conditions in the remaining Territories. Most of the remaining Non-Self-Governing Territories were small islands in the Caribbean and Pacific but their size should in no way curtail the applicability of the principles of self-determination laid down in the Charter and the relevant resolutions and declarations of the General Assembly.

4. His delegation agreed with those who considered that the end of the cold war provided an opportunity to increase the effectiveness of the United Nations as a whole. As regarded decolonization, the new political climate provided the international community with an unprecedented opportunity to examine the administrative arrangements that had evolved between those Territories and their administering Powers and their consistency with the provisions of the United Nations Charter, particularly Article 73. Such a review, free of cold war considerations, could be a crucial element in the provision of guidelines for the achievement of full self-government for those Territories by the year 2000.

5. The Special Committee had already undertaken historic reform measures which consolidated individual resolutions on 10 island Territories while maintaining the integrity of the Committee's mandate to focus on the unique circumstances in each Territory. Although his Government, at the last session, had opposed the original draft of the omnibus resolution because the draft removed all reference to the specific conditions in each Territory, it fully supported the draft resolution contained in document A/46/23 (Part VI), which was the result of the spirit of compromise and flexibility shown by Member States.

(Mr. Corbin)

6. With respect to the section of the omnibus resolution dealing with the United States Virgin Islands, he noted that the resolution referred to territorial legislation scheduling the political status referendum for 1993 and directing the Virgin Islands Status Commission to examine whether longer residency requirements could be enacted for voting in that referendum than the current 90-day residency used for voting in general elections. Such an examination was required as the unilateral applicability of administering Power laws to the Territory had prevented the introduction of more reasonable voter residency requirements. Accordingly, his Government had been asking the Special Committee for several years for an advisory opinion on the applicability of international law to the decolonization process, and for information on voter residency requirements in acts of self-determination in other Non-Self-Governing Territories. It had not yet received a reply.

7. The draft resolution also supported the position of the Government and people of the Territory on the transfer of Water Island to the jurisdiction of the democratically elected Government of the Territory and ensuring the permanent sovereignty of the Territory over its natural resources pursuant to international law. That issue was not new. Successive Governments of the Territory had for over a decade officially called for the transfer of Water Island back to the Territory when its lease to a foreign economic interest expired at the end of the current year. Those requests, however, had gone unheeded. The administering Power was preparing to sell the island to the highest bidder and to use the proceeds of the sale to acquire additional land in the Territory, although the Governor had repeatedly stated that Water Island was an inalienable part of the Virgin Islands that ought to be reunited with the rest of the Territory.

8. It was not the first time that the issue of Water Island had been mentioned ir a United Nations resolution. But it was one thing to have something set down in a resolution and quite another to have it acted on. Some of the Special Committee's resolutions duplicated the language used in resolutions of previous years. However, many of those essential principles were repeated by necessity because recommendations contained in those resolutions were rarely implemented.

9. In conc.usion, he asked the Committee to consider a 10-point plan which represented his Government's views on how a successful decolonization process should be carried out. Representatives of the elected Governments of the Non-Self-Governing Territories should be invited to participate in the meetings of the Special Committee and its Subcommittees as observers; the General Assembly should put into place a mechanism to ensure the timely implementation of resolutions and decisions in the field of decolonization; visiting missions should be dispatched to the Territories at the earliest possible time to ascertain the actual situation, particularly where a local consultation on political status was being considered; the dissemination of information on decolonization to the people of the Territories should be accelerated; the specialized agencies and technical organs of the United

(Mr. Corbin)

Nations should provide for direct participation by the Non-Self-Governing Territories in their work; Non-Self-Governing Territories should be authorized to participate in regional and subregional organizations as associate members or observers; the General Assembly should provide for observer status in the Assembly for those Non-Self-Governing Territories which requested it; the United Nations should assist the Territories to establish genuine programmes of political education based on the international legal principles of self-determination; measures should be taken to transfer powers to the Non-Self-Governing Territories so that they could exercise their right to self-determination without external interference; and, finally, the relevant bodies of the United Nations system should examine the relationship between international law and the decolonization process and disseminate the results to the Non-Self-Governing Territories so that the population had a true understanding of the parameters within which the decolonization process should be carried out.

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AGENDA ITEM 103: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (continued) (A/46/344 and 517)

General debate (continued)

10. Mr. DENEGRI (Peru) said that, despite the new international situation, the status of the Non-Self-Governing Territories had not essentially changed. Current conditions required new approaches aimed at finding practical solutions which would correspond to the interests of the populations of those Territories. It was therefore necessary to take into account the views of the populations of those Territories regarding what they considered necessary for their own development.

(Mr. Denegri, Peru)

11. His delegation considered that the Charter of the United Nations and the relevant resolutions on decolonization should serve as guidelines for the Fourth Committee. Accordingly, the discussions held at the last session had been centred on a critical and creative assessment of the work of the Fourth Committee and the Special Committee. The Special Committee had established a working group which had studied various issues relating to the work and agenda of the Fourth Committee. In his delegation's view, the activities of the working group and the discussions held had been fruitful in that they had facilitated an analysis of various questions relating to the functioning of the Fourth Committee. His delegation took the view that such consideration should be continued in order to ensure that the work of the Fourth Committee continued to be as effective as possible.

12. His delegation noted with satisfaction the successes achieved in implementing the United Nations plan to hold a referendum in Western Sahara. The plan would enable the population of that Territory to implement its right to self-determination. In that connection, one positive factor was the fact that military observers of the United Nations Mission on the holding of a referendum in Western Sahara had begun to take up their duties. His delegation reaffirmed its broadest support for the Secretary-General's efforts to organize the referendum and to monitor its progress.

13. His delegation also regarded as important the measures taken by the French authorities in New Caledonia and reaffirmed its conviction that dialogue between the parties was the appropriate mechanism for finding a just solution.

14. Mr. ADHIKARY (Nepal) said that, despite noteworthy successes in the task of crystallizing the basic concepts of human dignity and the inviolability of the human person and human rights, those concepts had yet to be translated into actions in a manner befitting mankind's ideals and thought-patterns. That also applied to the right to self-determination and independence of the Non-Self-Governing Territories. It was essential to ensure implementation of the relevant obligations by all the administering Powers, the peoples of those Territories and the international community in order to establish conditions for an expeditious and peaceful transition, as envisaged in General Assembly resolution 1514 (XV) of 14 December 1960.

15. His delegation appreciated the efforts of the Special Committee, particularly its activities in disseminating information on colonial countries through various activities by means of the publications of the Department of Public Information and the holding of a week of solidarity in May 1991. It considered that military activities which hindered the full and effective implementation of the 1960 Declaration and other relevant resolutions must be discontinued at the earliest possible date. He also considered that the activities of foreign economic circles should in no way constitute an obstacle to progress towards self-determination.

(Mr. Adhikary, Nepal)

16. If success had been achieved in ending the era of the "cold war" in a relatively peaceful manner, there was no reason why, on the basis of mutual cooperation and coordination, colonialism should not be eradicated by the year 2000. That process must be initiated forthwith by means of a specific programme of action outlining the necessary measures and coordinating the efforts of United Nations agencies, the administering Powers and the peoples themselves.

17. Colonialism had expressed itself in different forms and manifestations. While positive efforts had been made by the current South African regime, much remained to be done. In accordance with the Declaration on Apartheid and its Destructive Consequences in Southern Africa, which had been adopted by consensus in December 1989, he called on the international community to commit itself to the implementation of that resolution until a free, non-racial, united and democratic society was established in South Africa. It was necessary to strive towards universal implementation of ideals and principles and to refrain from practising double standards which might threaten global security and peace.

18. With the end of the "cold war", a unique opportunity was arising in the United Nations to implement the ideals and principles enshrined in its Charter. Implementation of the legitimate right to self-determination of all Non-Self-Governing Territories remained a fundamental goal which could well be one of the yardsticks for measuring the Organization's success in the days ahead.

19. Ms. RASOANAIVO (Madagascar) said that the need to strengthen the positive trend brought about by the relaxation of tension between two previously hostile blocs was encouraging the international community to fulfil the basic goals confronting the Organization without establishing priorities among its fundamental principles. Madagascar was firmly convinced that implementation of the inalienable right of peoples to self-determination continued to be a matter of pressing concern. It retained its topicality, inasmuch as many nations had not yet succeeded in achieving sovereignty. The problem of realizing the aspirations of peoples who continued to live under colonial domination was becoming increasingly acute against the background of the United Nations stated goal of eliminating colonialism by the end of the century. Her delegation was convinced that that obligation would be met, in so far as the Organization's collective experience now enabled it to arrive at increasingly effective solutions to the problems of decolonization.

20. The aims of political, economic and social development of indigenous peoples merited consideration by the Organization, its Member States and, in particular, the administering Powers, which bore a particular responsibility for ensuring that those peoples achieved autonomy. Most of the Non-Self-Governing Territories belonged to the category of "small States", a status which rendered them vulnerable to increasing hazards in an unstable international situation. A balance in the international system of security

(Ms. Rasoanaivo, Madagascar)

should be strengthened by ensuring stability at the regional level. With that aim in mind, her delegation considered that measures taken by the United Nations to strengthen the security of "small States" were important for the future of the peoples of the Non-Self-Governing Territories.

21. The problem of security should be considered from the point of view of the social and economic development of indigenous peoples. In her delegation's view, the stated goals could only be achieved if there was goodwill and cooperation on the basis of reciprocal responsibility between the administering Powers and the populations of the Non-Self-Governing Territories, and also on the basis of integrating those Territories within the regional and international cooperation systems.

22. Her delegation wolcomed the progress that had been made in the organization of a referendum on self-determination for the Saharan people. The Security Council had approved the plan for a settlement which had been drawn up and, in resolution 690 (1991) had established the United Nations Mission for the Referendum in Western Sahara. That decision, which was of immense significance for the implementation of the plan, testified to the desire to achieve an early solution to that long-drawn-out conflict. Her delegation welcomed the cease-fire and called upon all parties to cooperate in observing it, since it was an essential condition for the organization and holding of the referendum in peaceful conditions.

23. Mr. DENU (Ghana) said that the granting of independence to colonial countries and peoples in Territories under colonial domination and the elimination of apartheid could be expedited if during the debate particular attention was paid to the aspirations of the people of those Territories. The hypocritical attitude adopted, in particular by the administering Powers and some protagonists of freedom and democracy, with regard to the colonial Territories and South Africa in no way reflected the genuine desire to implement the 1960 Declaration and to eliminate apartheid.

24. His delegation recognized the need to reorganize the work of the Special Committee and the Fourth Committee, especially with regard to the method of adopting decisions and resolutions, and it was ready to discuss the question of improvements in the decision-making process. It believed, however, that almost all the criticisms that had been levelled against the language and content of decisions and resolutions were unfounded. Some delegations had described the decisions and resolutions recommended to the Fourth Committee as anachronistic, largely because they dealt with the issue of apartheid and the collaboration of some countries with the racist regime of South Africa. His delegation could not agree with that view.

25. That approach to decisions and resolutions stemmed from a limited appreciation of the relationship between apartheid and the decolonization process. Apartheid was but an institutionalized form of racism and racial discrimination and, as a concept and practice, existed in all colonial

(Mr. Denu, Ghana)

Territories. In order to ensure a smooth process towards independence, the Fourth Committee had to take that concept and that practice into account in its work.

26. Apartheid in South Africa had its origins in colonialism, which had promoted the domination of the majority by the minority and the economic exploitation of the indigenous population. To the extent that apartheid had not been eliminated in South Africa, colonialism still existed in that country. Although the changes which were taking place in South Africa were laudable, they were not sufficient to warrant the removal of the question of apartheid from the Committee's agenda.

27. Another accusation levelled against the Special Committee was that it had persistently failed to take into account the current situation in Non-Self-Governing Territories. The evidence available, however, did not support that accusation. In his report (A/46/516), the Secretary-General categorically stated that the administering Powers had duly provided the required information and that New Zealand, the United Kingdom and the United States had included in their reports information on constitutional matters. That information had been transmitted to the Special Committee, which had taken it into account in formulating its decisions on the Territories in question. Such accusations could be avoided if all the interested parties provided the Secretary-General and the Special Committee with detailed information on conditions prevailing in the Non-Self-Governing Territories. His delegation therefore appealed to the administering Powers to comply strictly with Article 73 e of the Charter and to invite United Nations visiting missions to the Territories under their administration on a regular basis.

28. Recent developments in Western Sahara were disturbing to the people and Government of Ghana. His delegation, however, noted with satisfaction the acceptance by all the parties concerned of Security Council resolution 690 (1991) concerning the holding of a referendum in that Territory under the auspices of the United Nations. The fact that the question of Western Sahara had finally yielded to a lasting and mutually acceptable solution afforded grounds for optimism.

29. The geographical size of the remaining Non-Self-Governing Territories should not be an impediment to their attainment of independence. The example of the Baltic States testified convincingly to the fact that the remaining Non-Self-Governing Territories, too, deserved to be independent. They should be given full support. In that connection, the United Nations and its specialized agencies should continue to provide financial and other assistance to the small island Territories in the Pacific Ocean which were vulnerable to natural disasters so that they could develop long-term strategies to deal with the consequences of such disasters.

(Mr. Denu, Ghana)

30. In conclusion, he noted the positive role played by the specialized agencies in contributing towards the development of the Non-Self-Governing Territories and by those Member States which had extended offers of study and training facilities to the inhabitants of those Territories.

31. Mr. SARDENBERG (Brazil) said that the United Nations had achieved significant successes in the field of decolonization but that it had yet to conclude the task entrusted to it under the Charter and the 1960 Declaration. The persistence of colonialism had truly become an anachronism, at variance with the current trend towards the elimination of political and ideological barriers and towards self-determination.

32. The Special Committee should pursue its efforts to improve and diversify its work. Although the objectives it had steadfastly pursued remained unchanged, the means whereby those objectives could be attained should be reviewed on a continuing basis.

33. His delegation supported the consultations undertaken by the Chairman of the Fourth Commmittee on some of the draft resolutions and decisions submitted by the Special Committee for consideration by the General Assembly. It had been pleased to participate in the initial consultations and hoped that any revised drafts that might be produced would meet with the widest possible support.

34. On the question of economic activities in the Non-Self-Governing Territories, he observed that sound economic activities that benefited the people of those Territories could promote their development and that that, in turn, could prove to be a significant factor in bringing those Territories to independence.

35. In the view of his delegation, no consideration of the situation in the Non-Self-Governing Territories would be complete without taking into account the persistence of military activities and the continued presence of military installations of the administering Powers in the Territories under their control. The international community should once again point out that military activities could, and often did, constitute an impediment to the implmenentation of the principles of the Charter and the Declaration.

36. His delegation was of the view that, in matters relating to decolonization, the United Nations should bring to bear the same flexible and creative approach which had recently characterized its work in other fields. Various avenues of approach could be explored, including the deployment of United Nations personnel to assist in the organization and conduct of referendums in the Non-Self-Governing Territories. Whenever possible, the holding of a referendum should be agreed upon between the United Nations, the administering Power and representatives of the Territory in question. Such referendums need not necessarily be conducted under the auspices of the United Nations, but could draw on its assistance and expertise. The Special

(Mr. Sardenberg, Brazil)

Committee could profitably give careful consideration to the question of an enlarged role for the United Nations in that regard.

37. His delegation recalled its support for the efforts currently under way to reach a definitive solution to the question of Western Sahara. Brazil had welcomed the adoption of Security Council resolution 690 (1991) of 29 April 1991 and the subsequent deployment of the United Nations Mission for the Referendum in Western Sahara, which would allow the people of Western Sahara freely to determine their political destiny. Brazil felt confident that all parties concerned would cooperate fully with the United Nations in the period leading up to and including the referendum.

38. With regard to the question of East Timor, Brazil had noted with satisfaction the agreement reached between the Governments of Portugal and Indonesia on the terms of reference for the forthcoming visit by a Portuguese parliamentary delegation to the Territory. His delegation hoped that the understanding reached by the two countries, in the context of the good offices mission undertaken by the Secretary-General, would enhance the prospects for a comprehensive and internationally acceptable solution to the question of East Timor.

39. Ms. GOMEZ (Mexico) said that the rapid changes in the international arena and the new problems to which they were giving rise created a need for effective means of activating and strengthening United Nations activities, in particular with regard to decolonization. In that connection, the efforts made by the Special Committee in recent months to increase the effectiveness of its work deserved acknowledgement and support. But it had to be said, with some concern, that practical implementation of the principles embodied in the Declaration on the Granting of Independence to Colonial Countries and Peoples was still being impeded by the unwillingness of certain countries to waive their narrow interests. The international community noted with satisfaction the accession of a number of States to freedom and independence, but other peoples continued to be prevented from exercising their inalienable right to self-determination and independence. Her delegation was convinced that the supremacy of international law was the basis for achieving the aims of the International Decade for the Eradication of Colonialism, which had been endorsed at Guadalajara, Mexico, in July 1991.

40. Mexico was pleased with the progress achieved in the talks between the United Kingdom and Argentina on the Malvinas (Falkland) Islands and hoped that mutual understanding between the two States would make it possible to resume negotiations leading to a just and final settlement of the dispute over the sovereignty of the islands.

41. Optimism was also inspired by the progress achieved in recent months in efforts to settle the question of Western Sahara. Her delegation supported Security Council resolution 690 (1991), under which the United Nations Mission for the Referendum in Western Sahara had been established. Mexico noted with

(Ms. Gomez, Mexico)

satisfaction the entry into force of a cease-fire agreement between the parties to the conflict, as proposed by the Secretary-General, and urged the international community to give its full support to the implementation of the Secretary-General's peace plan, so that the Organization's goal might be attained as quickly as possible.

42. On the question of New Caledonia, her delegation wished to reiterate its support for the relevant resolutions adopted by the General Assembly and the Special Committee, and strongly urged the parties concerned to continue their work for the peaceful development of the Territory so that it could achieve self-determination.

43. Mr. SERME (Burkina Faso) said that the celebration, in 1990, of the thirtieth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples had been particularly significant for his country and for many other friendly and fraternal countries in Africa, the Middle East, the Pacific Ocean area and Latin America.

44. Burkina Faso wished to take the opportunity to thank the Special Committee for the great work that it had done. His country paid tribute to all those who had sponsored the adoption of General Assembly resolution 1514 (XV) and helped to implement it.

45. He noted that the Special Committee had still not carried out its mandate completely because the fulfilment of its noble mission was being impeded by the opposition of foreign circles operating in Non-Self-Governing Territories, opposition which was continuing despite the enthusiasm accompanying the proclamation of the International Decade for the Eradication of Colonialism. He urged adoption of the draft resolution submitted on that question, one of whose sponsors was Burkina Faso. The draft resolution, which did not differ from the draft adopted by consensus in 1990, was a balanced document, reflecting both the evolution of the international situation and the development of relations between the interested parties over the past year.

46. With regard to the possibility of merging the Special Political Committee and the Fourth Committee, his delegation took the view that the content of the Fourth Committee's work made its retention as a separate body advisable. That was because of the specific nature of the problem relating to the future of part of mankind that it was mandated to solve. His delegation therefore considered amalgamation of the Special Political Committee and the Fourth Committee inappropriate.

Exercise of the right of reply

47. Mr. SRIVIDJAJA (Indonesia), speaking in exercise of the right of reply, said that the statement by the representative of the Netherlands on behalf of the 12 States members of the European Community on 18 October 1991 had referred to the so-called question of East Timor, which was not on the Fourth

(Mr. Srividjaja, Indonesia)

Committee's agenda. That conflicted with the sense of the first report of the General Committee contained in document A/46/250 of 18 September 1991 and adopted at the plenary meeting of the General Assembly on 20 September 1991. In accordance with that report, consideration of the so-called question of East Timor, which had been item 105 of the provisional agenda (A/46/150), should be postponed to the forty-seventh session of the General Assembly. Accordingly, the question could not be included in the Fourth Committee's agenda. Mentioning the political aspects of the so-called question of East Timor did nothing to help create a favourable political atmosphere on the eve of the visit by a Portuguese parliamentary delegation to the island. With regard to the question of human rights in that province, the Government of Indonesia had always displayed sincerity and goodwill, the latest evidence of which was its agreement to the visit of the Chairman of the Commission on Human Rights to East Timor.

48. The CHAIRMAN drew the Committee's attention to draft resolution A/C.4/46/L.2, the sponsors of which had been joined by Malawi, Mauritania and Suriname.

The meeting rose at 11.50 a.m.

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

Official Records

FOURTH COMMITTEE
10th meeting
held on
Tuesday, 22 October 1991
at 10 a.m.
New York

SUMMARY RECORD OF THE 10th MEETING

Chairman: Mr. FLEMMING (Saint Lucia)

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 101: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued)

Hearing of petitioners (A/C.4/46/7/Add.1)

1. The CHAIRMAN reminded the Committee that it had decided to grant the request for hearing contained in document A/C.4/46/7/Add.1.

2. At the invitation of the Chairman, Mr. Corbin (Caribbean Development and Cooperation Committee) took a place at the petitioners' table.

3. Mr. CORBIN (Caribbean Development and Cooperation Committee) said that the Caribbean Development and Cooperation Committee (CDCC) had been established in 1975 as a permanent subsidiary body of the Economic Commission for Latin America and the Caribbean. The CDCC worked closely with organizations of the United Nations system to facilitate increased participation by Caribbean countries in the work of the United Nations. The CDCC was interested in developing closer collaboration with the Special Committee on decolonization in implementing the relevant resolutions on fostering participation of the Non-Self-Governing Territories in the work of the specialized agencies and technical organs of the United Nations system. Currently the CDCC was focusing on identifying areas within the system which could assist the economic and social development of those Non-Self-Governing Territories; identifying any impediments to participation by the Non-Self-Governing Territories in the United Nations system; and promoting the increased access of Non-Self-Governing Territories in the work of the United Nations system through implementation of the relevant resolutions of the General Assembly.

4. Since 1987, the CDCC had begun to focus on the difficulties encountered by the small island developing countries of the Caribbean, including the Non-Self-Governing Territories, and, in particular, had included within its action plan a directive to review the access of non-independent Caribbean countries to programmes and activities of the United Nations system with the aim of identifying areas within the system which could provide technical and other assistance to those countries in the furtherance of their development process. The initial review conducted by the CDCC in 1987 had revealed that compliance with those resolutions varied depending on the United Nations agency concerned. To further consolidate emphasis on that issue, the CDCC had established a working group of non-independent Caribbean countries in 1989.

5. The CDCC had taken the view that the unique characteristics of the individual Non-Self-Governing Territories were of paramount importance in the formulation of strategies for their socio-economic development, including the facilitation of their participation in United Nations programmes. At the

(Mr. Corbin)

thirteenth session of the CDCC, held in 1991, a resolution had been approved endorsing the continuation of the ongoing analysis with regard to Caribbean Non-Self-Governing and freely associated territories and initiating contact with the governing councils of the United Nations bodies concerned to determine modalities for increasing the participation of those countries in the work programmes of those bodies.

6. The CDCC was committed to carrying out the mandate given to the wider United Nations system by the General Assembly to increase the participation of the Non-Self-Governing Territories in the United Nations system. The work of the CDCC was therefore aimed at fulfilling that mandate in respect of the Caribbean Non-Self-Governing Territories. One potential area of cooperation could be in the furtherance of the CDCC study on the access of non-independent Caribbean countries to programmes and activities of the United Nations system.

7. Mr. Corbin withdrew.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued) (A/46/23 (Parts V and VI), A/46/201, 336, 344, 359, 409; A/AC.109/1056-1059, 1060-1063, 1064 and Corr.1, 1065-1067, 1068 and Corr.1, 1069-1071, 1073, 1074 and Corr.1, 1075, 1077, 1078, 1079 and Corr.1, 1082; A/AC.109/L.1761, E/1991/116, S/21360 and S/22578)

AGENDA ITEM 99: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued) (A/46/23 (Part IV, chap. VII) and A/46/516)

AGENDA ITEM 101: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued) (A/46/23 (Part IV, chap. VI) and A/46/229)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/46/3 (chaps. I and VII), sect. C)

AGENDA ITEM 103: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (continued) (A/46/344 and 517)

General debate (continued)

8. Mr. KUMAR (Singapore) said that the world was undergoing a period of transformation and in that context the question arose as to how the Committee should handle the changing circumstances. The Committee had unquestionably been a catalyst for decolonization and the realization of fundamental rights to self-determination and independence. There were currently less than 20 remaining Non-Self-Governing Territories located mainly in the Atlantic and

(Mr. Kumar, Singapore)

Pacific Oceans. In 1990, Namibia, and in 1991, the Federated States of Micronesia and the Republic of the Marshall Islands, had become Members of the United Nations. As an island country, Singapore was happy to see other island countries becoming Members of the United Nations.

9. He noted that some progress had been made towards the independence of New Caledonia. Singapore welcomed and supported that peaceful evolution. It also welcomed positive developments such as the mediatory efforts of the Secretary-General in Western Sahara. Singapore sincerely hoped that the cease-fire in Western Sahara would pave the way for the self-determination of the people of Sahara.

10. As to the future of the remaining Non-Self-Governing Territories, new approaches needed to be considered taking into account the unique circumstances of the remaining Territories. Singapore believed that those Territories required special attention in their evolution towards self-government.

11. One possible approach was a graduated scale for self-determination for those Territories, as propounded by the representative of Liechtenstein in the General Assembly. The first stage would involve the election of representatives for those Territories and the administration by those elected representatives of the funds which were allocated by the administering Powers. The next step could involve some autonomy in taxation. A financial compensation plan would have to be worked out at that stage, taking into account the income and the administrative functions of the Territories. The third degree of autonomy could involve some legislative power. At that stage of autonomy most administrative functions of the administering Powers could be turned over to the Territories. The final process would be full independence.

12. It might also be necessary to work out a time-frame for self-determination which could be fine-tuned to the prevailing circumstances and drawn up in consultation with the administering Powers. The objective remained constant - the establishment of an economically viable and politically stable Non-Self-Governing Territory.

13. To respond effectively to the new challenges and responsibilities facing it the United Nations, and the Fourth Committee in particular, must strengthen its capacities and adapt itself to a fast-changing and dynamic international situation. That called for reforms and administrative innovations in some important areas of the work of the Committee.

14. Two trends had emerged of relevance to the Fourth Committee: the rise of neo-colonialism on the part of regional Powers and economic colonialism. With the decline of the super-Power rivalry, the rise of regional Powers was likely. As direct rule was no longer internationally acceptable, neo-colonialists were setting up nominally independent Governments through which they could assert influence and control. Indirect colonialism was a

(Mr. Kumar, Singapore)

threat to weakened developing countries. As to economic colonialism, disadvantageous terms of trade coupled with the rise of protectionism were steadily widening the gap between the North and the South. Economically dependent countries would have correspondingly less freedom to determine their own goals. The era of political colonialization was ending and was probably being succeeded by one in which a small number of strong economic Powers would dominate a cluster of dependent countries.

15. The Fourth Committee must examine how it could prevent recolonization. In the view of his delegation, there were two areas that required close attention: firstly, a recognition that colonization had taken new forms, and in that regard, efforts must be made to curb aggressive new Powers that threatened smaller and weaker States, and, secondly, a combined attempt must be made with other committees to address the most formidable problem before the world community, the widening gap between the rich and poor countries.

16. There was merit in the proposal to merge the Fourth Committee with the Special Political Committee. That would inject new life into the combined committee and give its work new dynamism and direction.

17. Mr. O'BRIEN (New Zealand) said that there was no longer any justification for colonialism to exist in its historical form. At the same time, the situation in many Non-Self-Governing Territories was hardly consistent with the notion of "colonialism" as traditionally perceived. It was difficult in today's world of economic interdependence and interaction to conceive of "independence" for a Territory of 60 or even 1,600 people. That right existed, of course, and was enshrined in numerous United Nations resolutions and in the Charter of the United Nations itself, but independence was only one option among several, and it was for the people of each Territory to decide upon its concrete form.

18. New Zealand was aware that self-determination required proper economic foundations. There was a real need to encourage foreign investment and support of a kind that did not exploit Non-Self-Governing Territories. Experience had shown that foreign economic activity could also have a negative side, in the form of investment that was insensitive to indigenous culture, that was associated with drug trafficking or that gave rise to irreparable environmental damage.

19. But threats to self-determination did not necessarily come from within a Territory or from those responsible for its political and economic development. In the case of Tokelau, the Territory that New Zealand had the honour to administer on behalf of the United Nations, efforts to minimize the "dependency syndrome" were jeopardized through the indiscriminate dumping of toxic waste and through nuclear testing activities in the region. In their statement earlier in the year before the Special Committee on decolonization, the leaders of Tokelau had appealed to the United Nations to help convince States that activities contributing to global warming should be curtailed.

(Mr. O'Brien, New Zealand)

Atolls like Tokelau stood in danger of being submerged if sealevels continued to rise as a result of unchecked global warming.

20. New Zealand's role with regard to Tokelau was to maintain a free and open dialogue on all issues of importance to the future of the Territory and not to urge the people of Tokelau to make changes or to embark upon a more rapid evolution than they themselves wanted. New Zealand fully acknowledged its obligation to prepare Tokelau for self-determination, but did not intend to force an externally imposed agenda upon the Tokelau people. The wishes of the people of the Non-Self-Governing Territories were paramount, and a changed relationship between those Territories and the administering Powers did not necessarily mean that independence was the goal.

21. With regard to the question of New Caledonia, his delegation welcomed the 1988 Matignon Accords, but had heard disquieting accounts in the past week from representatives of the Front de libération nationale kanak socialiste (FLNKS) and the Front uni de libération kanak (FULK) concerning slow progress in some areas, including the reallocation of property and the training of professionals from among the indigenous Kanak people. Education and training opportunities must be expanded to enable New Caledonians to exercise their right to self-determination under the best possible conditions.

22. Earlier in the year, on the initiative of the South Pacific Forum, ministers from two Pacific Island countries had visited New Caledonia to enquire into progress in implementing the Matignon Accords. That extremely useful visit had served to strengthen the links between New Caledonia and its neighbours in the South Pacific region, but as pointed out by the representative of FLNKS, it was also essential for the United Nations, and the decolonization committees in particular, to continue to monitor developments closely as preparations were made for 1998, when New Caledonia would exercise its right to self-determination.

23. An important challenge facing the Fourth Committee was to tailor its work and its resolutions to evolving circumstances. New Zealand applauded the useful initiatives taken earlier in the year by the Special Committee on decolonization to streamline its working methods.

24. In that connection, his delegation had a number of suggestions for rationalizing the Committee's work. First, separating the examination of foreign, economic and military activities from a consideration of the Territories themselves created an artificial distinction. His delegation suggested that in 1992 there should be a single general debate to allow delegations better to consider the question of decolonization. Secondly, it would be useful to invite representatives of specialized agencies closely involved in programmes in the Territories to give short statements before the Committee, which would facilitate more informed comments by delegations on the agencies' work. UNDP was a case in point. Thirdly, guidelines must be drafted for petitioners to assist them in preparing their statements. For

(Mr. O'Brien, New Zealand)

example, shorter statements might be encouraged, but with written information provided to all delegations on the detailed points that the petitioners were addressing. Fourthly, it was essential to continue the Committee's rationalization work in one form or another so as to lay the basis for a more focused agenda at the forty-seventh session of the General Assembly.

25. Not all resolutions had moved with the times. The needs of Non-Self-Governing Territories were in danger of being swamped by language on issues that were more properly covered in other bodies. Support for the relevant resolution on the role of the specialized agencies had experienced a dramatic decline in recent years: it had received 142 votes in favour in 1989, but only 115 in 1990. Owing to the presence in the text of too many inappropriate formulations, it had been impossible to reach a consensus. His delegation was ready at all times to assist in the search for language conducive to remedying that situation.

26. Mr. AIT CHALAAL (Algeria) said that the current session of the General Assembly was taking place in a new international situation. The changes that had occured were raising hopes for the establishment of a new order which would effectively promote the affirmation of the values proclaimed by the Organization, namely the freedom and equality of all peoples. In that new order, the commitment to the basic values would, in particular, be demonstrated by the degree of decisiveness and boldness of action to bring about the complete elimination of the remnants of colonialism.

27. Referring to the question of Western Sahara, he duly commended the Secretary-General of the United Nations and the current Chairman of the Organization of African Unity for their contribution to the successful formulation of the plan to settle the conflict in Western Sahara. The consensus achieved in the Fourth Committee in 1990 had reflected the profound satisfaction of the international community with the completion and adoption by the Security Council of the plan for the holding of a referendum for self-determination, which was in keeping with the interests of the people of the Territory. The success achieved towards solving the problem of Western Sahara demonstrated already at that stage that the hopes of the international community were well founded. The adoption of Security Council resolution 690 (1991) and the entry into force of the cease-fire agreement had cleared the way for sending United Nations personnel to the region, which was a guarantee of the irreversibility of the peace process.

28. At the same time, the situation in Western Sahara was characterized by events which caused concern for Algeria since they might jeopardize the normal holding of the referendum for self-determination. Although Algeria's duty as a fraternal country and neighbour, as well as an observer of the process for settling the conflict in Western Sahara obliged it to provide frank information on its assessment of the situation as it evolved, that assessment in no way weakened his delegation's conviction that the peace process would be successful. A settlement of the conflict in Western Sahara in keeping with

(Mr. Ait Chalaal, Algeria)

the interests of the fraternal Moroccan and Saharan peoples was the aim of the peace plan adopted by the two sides and affirmed by the Security Council. The establishment of the United Nations Mission for the Referendum in Western Sahara and the cooperation of the United Nations and the Organization of African Unity in its implementation also constituted an important factor in the peace process.

29. That firm conviction was demonstrated by the fact that Algeria was continuing to provide strong support for the good offices provided jointly by the United Nations and the Organization of African Unity and had decided to make a voluntary contribution of $10 million for the implementation of the settlement plan. Those measures taken by his country reflected its desire to achieve a just and lasting solution to the conflict in Western Sahara, which would help strengthen the Arab Maghreb Union.

30. Algeria had been one of the sponsors of the draft resolution on the question of Western Sahara submitted for the Committee's consideration. The draft resolution aimed at ensuring the support of all the members of the General Assembly for the settlement plan, which had been agreed to by Morocco and the Frente POLISARIO and had been affirmed by the Security Council, in order to achieve finally a settlement of the conflict in Western Sahara through a just, free and honest referendum under the auspices of the United Nations. The draft resolution, which expressed complete support for the Secretary-General's peace mission in Western Sahara, was certain to be adopted by consensus in the Committee.

31. Mr. NOUANTHASING (Lao People's Democratic Republic) said that in the years since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples 60 Non-Self-Governing Territories, embracing a total population of over 100 million people, had been enabled to exercise their right to self-determination. Much of the credit in that decolonization process was due to the significant contribution and constant efforts of the United Nations, the Fourth Committee and the Special Committee on decolonization. In that regard, his delegation wished to recall the decisive role played by the Organization in assisting the peoples of Namibia, the Republic of the Marshall Islands and the Federated States of Micronesia in achieving national independence and joining the international community as full members of the United Nations. His delegation was confident that under the auspices of the Organization and with the support of the international community the Palestinian people and the black people of South Africa would attain their right to self-determination and independence.

32. In spite of the results achieved, the decolonization process was far from complete. There were still more than a dozen Non-Self-Governing Territories on the list of the United Nations. Their modest size should not impede the efforts to help them gain independence and self-determination and decide their own destiny. The continuation of colonialism in all its forms and manifestations, including racism and apartheid, was incompatible with the

(Mr. Nouanthasing, Lao People's Democratic Republic)

Charter of the United Nations, the Declaration and principles of international law. His delegation fully supported General Assembly resolution 43/47, which declared the period 1990-2000 as the International Decade for the Eradication of Colonialism. In order to achieve that goal, all the administering Powers must cooperate or continue to cooperate with the Special Committee on decolonization by actively participating in its work.

33. It remained the position of his Government that peoples of all races and social strata were entitled to exercise their inalienable rights to self-determination in accordance with the Charter of the United Nations and the provisions of the Declaration. The experience gained from the recent developments in the world reinforced the conviction that the role of the United Nations in the decolonization process was of paramount importance and that problems linked to decolonization could be solved peacefully with political will and cooperation.

34. Ms. RUS (Malaysia) said that since the adoption of General Assembly resolution 1514 (XV), considerable progress had been made towards the completion of the decolonization process. The rapid pace of decolonization in the 1960s and 1970s could be attributed to factors such as the determined struggle by liberation movements and assistance from neighbouring countries. In the current situation, however, armed struggle and liberation movements were not necessarily a prerequisite for accelerating that process, and a peaceful settlement could be achieved through negotiations in which innovative and flexible approaches were often necessary.

35. Malaysia welcomed any effort by the Special Committee or the Fourth Committee that might result in better cooperation with the administering Powers. Internal political developments within the administering Powers and the existing political environment in theory provided the basis for accelerating the decolonization process.

36. Under the Charter of the United Nations and numerous resolutions of the General Assembly, the administering Power had an obligation to prepare the people in the Territories under its administration for eventual self-determination through the free expression of their will. However, the existence of military bases in those Territories, their economic dependence and their lack of political education were developing into obstacles to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The administering Powers must therefore be reminded of their obligations under the Charter and General Assembly resolutions to undertake a gradual political transformation of the Territories, create a sound economic infrastructure to facilitate self-determination and promote awareness among the people of their inalienable rights. The people must also be given an opportunity to assume greater responsibilities in the management of their own internal affairs. In addition, political education must be made available.

(Ms. Rus, Malaysia)

37. The growing economic dependence of the Non-Self-Governing Territories was preventing those Territories from exercising their right to self-determination. Malaysia believed that not all foreign economic activities in a Territory had adverse effects on that Territory. However, economic activities in the remaining Non-Self-Governing Territories were mainly concentrated in the services sector, and only expatriates participated in the decision-making process.

38. The administering Powers must also be reminded that they had an obligation to protect the natural resources of the Territories under their control and to diversify and develop their economies.

39. In resolution 35/118, the General Assembly had expressed concern over the influx of immigrants and settlers into sparsely populated Territories which could disrupt the demographic composition of those Territories and result in the indigenous population becoming a minority in their own land. The only way to protect the basic interests of the indigenous population was not to allow the new immigrants to participate in determining the future status of the Territory.

40. Another problem that now existed in some of the Non-Self-Governing Territories was drug abuse, a problem that would not only result in the local population becoming drug addicts but also lead to the use of those Territories for drug trafficking, money laundering and even arms smuggling.

41. On the question of Western Sahara, Malaysia welcomed the cease-fire agreement and fully supported the efforts of the Secretary-General to find a solution. Malaysia was honoured to participate in the peace process. A settlement of the problem under the auspices of the United Nations would bring about peace and greater cooperation between countries in the Maghreb region.

42. Mr. YOSSIFOV (Bulgaria), said that the United Nations, its Charter and the relevant resolutions had played a decisive role in the remarkable advances which had been achieved in the process of decolonization. In a number of cases, the concept of the inalienable right of peoples to self-determination had become a reality and, in that respect, Bulgaria had made a direct contribution to the efforts of the international community. At a time of overwhelming changes in international relations, and in the current post-confrontation period, a period of good will and readiness for cooperation, fresh impetus had been given to the expectations of mankind for a just and secure world order, based on the universally recognized ideals of democracy. In 1990, the international community had welcomed the independence of Namibia, and in 1991 the Federated States of Micronesia and the Republic of the Marshall Islands had become full members of the United Nations.

43. The practical implementation of the United Nations Mission for the Referendum in Western Sahara (MINURSO) was yet another step towards the full and speedy decolonization of a dependent Territory. The people of that

(Mr. Yossifov, Bulgaria)

country would ultimately have the opportunity to exercise their right of choice. He noted with satisfaction that Bulgaria had participated in the work of MINURSO; that was a manifestation of its commitment to the underlying principles and ideals of the Charter of the United Nations.

44. Such significant events in the process of decolonization provided solid grounds for optimism with regard to the attainment of the goal of the complete elimination of colonialism by the year 2000. At the same time, they were a reminder of the need for a thorough review of the approaches and methods of work of the relevant bodies of the United Nations and for the necessary corrections to be made.

45. The universal validity of the principle that all peoples should be free to exercise their right to self-determination necessitated the establishment of effective international consensus in dealing with the problems of the remaining Non-Self-Governing Territories. Since those issues were no longer being seen in the context of the former East-West confrontation, the United Nations must prevent them from becoming another matter of dispute between North and South or within the South itself.

46. In the view of Bulgaria, there were several main ways of dealing with that set of issues. It was essential to increase cooperation between the administering Powers and the authorities of the Territories in the drafting and implementation of ad hoc programmes for the establishment of effective infrastructure and for stimulating and diversifying economic activities. It would also be advisable to make better use of the possibilities for integrating those Territories into regional trade, economic and financial structures. The specialized agencies could play an important role in that regard.

47. If the Committee was to adopt a more flexible and constructive approach towards the issues of decolonization, it must eliminate certain stereotypes and make its recommendations conform with the changing realities in the world at large, in the dependent Territories and in their relations with the administering Powers. Regrettably, his delegation was forced to note that some of the texts proposed by the Special Committee fell far short of meeting those requirements and would therefore stimulate little progress in that field. Their controversial character was a reminder of the name-calling practices of the past and were evidence that the Special Committee was far removed from the real developments, which it should study with greater care. A more positive and realistic approach must be adopted. In that connection, he commended the efforts of the former Chairman of the Committee who had initiated the consultations on the rationalization the work of the Special Committee. Although the consultations had yielded no concrete results, his delegation considered the process encouraging and favoured its continuation.

48. The omnibus resolution on "small Territories" adopted by the Special Committee was a positive step in the right direction. It would certainly

(Mr. Yossifov, Bulgaria)

enable the Committee to address in a more appropriate manner the basic issues relating to the remaining Non-Self-Governing Territories.

49. As for the idea of merging the Fourth Committee and the Special Political Committee, his delegation would welcome such a decision provided that its practical implementation did not adversely affect the identity, efficiency and rhythm of work of the two Committees. It would be appropriate before taking a decision on the merger to conduct studies, including an estimation of the funds that would be released as a result. Such a step would help to promote the concept of the rationalization and improvement of the efficiency of the General Assembly and its main organs.

50. Mr. SUPHAMONGKHON (Thailand) said that the persistent and tireless efforts of all interested parties and the United Nations had achieved considerable success in the decolonization process. One milestone in that process had been the proclamation in 1990 of the independence of Namibia, where free and fair elections had been held under the supervision of the United Nations. Thailand had taken part in the work of the United Nations group by sending its observers to Namibia. In 1991 the Federated States of Micronesia and the Republic of the Marshall Islands had become Members of the Organization. The United Nations was currently participating in the process of decolonizing Western Sahara, where a referendum on self-determination was to be held in the near future. All those events had substantially reduced the workload of the Fourth Committee.

51. His delegation hoped that it would not be long before the decolonization process came to a final end. For that to happen the administering Powers must comply with their obligations and the relevant resolutions of the General Assembly.

52. In an interdependent world, international cooperation was of vital significance. Although Thailand was a developing country with limited resources and capabilities, it gave assistance to other countries by providing educational and training scholarships and experts and equipment to several developing countries and Non-Self-Governing Territories. In 1991 his Government had decided to expand its assistance programmes under the Thai International Cooperation Programme and the Third Country Training Programme.

53. Notable progress had been made towards ending apartheid in South Africa, but much remained to be done before it was totally eliminated.

54. Mr. GÜVEN (Turkey) said that the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted 31 years ago, had become a yardstick and touchstone of all initiatives in matters relating to decolonization; it had not only ensured the independence of more than 50 former colonial Territories but had also played a constructive role in securing recognition of the right to self-determination and equal rights for all peoples.

(Mr. Güven, Turkey)

55. In that context the independence of Namibia stood out as the culmination of concerted international efforts to make the right to self-determination a driving-force in the world. The proclamation by the United Nations of the 1990s as the International Decade for the Eradication of Colonialism and the new international atmosphere of cooperation replacing the cold war and ideological struggle gave grounds for optimism about the successful completion of the decolonization process by the end of the century.

56. Nevertheless, it must not be forgotten that a time of change was also a time of challenges arising from the need to adjust policies to the new circumstances. The problems of decolonization required a realistic and pragmatic reappraisal in the light of the new conditions, but that did not imply renunciation of the principles and objectives contained in resolution 1514 (XV) and did not release the administering Powers from their responsibilities. The goal of such an approach was to establish constructive cooperation between the relevant United Nations committees and the administering Powers, to prepare the political and economic framework for the exercise of the right to self-determination, and to rationalize the work of the committees in question.

57. In that context his delegation welcomed the discussions initiated in the Fourth Committee and the work done by the open-ended working group of the Special Committee in examining various proposals related to the review of its work, and it believed that those positive trends must be reflected in the resolutions of the Fourth Committee to be submitted to the General Assembly.

58. On the question of Western Sahara, Turkey supported the exercise by the people of Western Sahara of their right to self-determination and welcomed the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO), regarding the cease-fire agreement of 6 September as an important step towards attainment of the Mission's goals. It was ready to make available military observers to monitor the cease-fire and hoped that the parties to the dispute would cooperate with the Secretary-General in the implementation of the plan for conducting a referendum in the Territory.

59. Mr. WAYARABI (Indonesia) said that, as an initiator and sponsor of resolution 1514 (XV), Indonesia believed that international peace and security could not be attained without freedom and equality for all States and peoples. Since the adoption of the resolution there had been a profound transformation in the geopolitical map of the world, and the United Nations had moved very close to its goal of universality. Notwithstanding the successes achieved in decolonization, the Declaration was still equally applicable to the remaining Non-Self-Governing Territories. His country's position was reflected in part A of the omnibus resolution adopted by the Subcommittee by consensus on 13 June 1991, i.e. that an indigenous population had the inherent right freely to determine its own destiny and exercise its fundamental right to self-determination and independence. It was incumbent on the administering Powers to create the conditions for making the population of

(Mr. Wayarabi, Indonesia)

a Territory aware of the possibilities open to them without external interference.

60. Another source of concern was the activities of foreign economic and other interests operating in the Territories, for they had been a major factor of colonial subjugation. It was therefore important for the administering Powers to take due account of the need for effective measures to safeguard and develop the natural resources of the Territories. Priority should also be given to strengthening and diversifying the economies of the Territories through cooperative endeavours based on mutual trust and equality in order to promote their economic growth. Such endeavours must be aimed at securing self-sufficiency, and it was solely for the peoples concerned to determine the course of their social and economic development, including the extent of external participation in that process. Of equal importance was the obligation to refrain from military activities incompatible with the decolonization process.

61. The budgets of the specialized agencies and other organizations of the United Nations system should be greatly augmented, for they played a significant role in ensuring the social and economic development of the Territories.

62. His delegation noted with appreciation the recommendations and conclusions of the Subcommittee on Petitions, Information and Assistance (A/AC.109/L.1760), for they were an invaluable source of information which helped the Special Committee to fulfil its mandate successfully and effectively. The Department of Public Information also deserved commendation for disseminating information on the decolonization process and thereby mobilizing world opinion in support of all colonial peoples.

63. His delegation agreed in principle with the recommendations concerning rationalization of the Special Committee's work, in particular the proposal for the merger of the two subcommittees in order to prevent unnecessary duplication and consolidate identical resolutions.

64. It noted the establishment of MINURSO by the Security Council and welcomed the draft resolution on the question of New Caledonia adopted on 9 August 1991.

65. The CHAIRMAN drew the Committee's attention to the draft text of a consensus on Gibraltar (A/C.4/46/L.3) and announced that Nicaragua, Panama, Paraguay and Rwanda had become sponsors of draft resolution A/C.4/46/L.2 on the question of Western Sahara.

The meeting rose at 12.15 p.m.

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

Official Records

FOURTH COMMITTEE
11th meeting
held on
Wednesday, 23 October 1991
at 10 a.m.
New York

SUMMARY RECORD OF THE 11th MEETING

Chairman: Mr. FLEMMING (Saint Lucia)

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Question of Western Sahara

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The meeting was called to order at 10.40 a.m.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued) (A/46/23 (Parts V-VI), A/46/201, 336, 344, 359, 409; A/AC.109/1056-1059, 1060-1063, 1064 and Corr.1, 1065-1067, 1068 and Corr.1, 1069-1071, 1073, 1074 and Corr.1, 1075, 1077, 1078, 1079 and Corr.1, 1082; A/AC.109/L.1761; E/1991/116, S/21360 and S/22578)

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General debate (continued)

1. Mr. AL-BAKER (Qatar), welcoming the admission to the United Nations of the Federated States of Micronesia and the Republic of the Marshall Islands, said that it could mark the beginning of the process of attainment of independence by the peoples of the remaining Non-Self-Governing Territories, regardless of their political, economic and social systems.

2. Members of the international community represented in the Committee must call on the administering Powers to assist Non-Self-Governing Territories in improving their socio-economic situation and establishing conditions for exercising their right of self-determination.

3. He expressed gratitude to the specialized agencies cooperating with the Organization of African Unity with the United Nations for their assistance in implementing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and drew attention to the need to continue to provide that assistance on a more systematic basis.

4. As to Western Sahara, particular mention should be made of the efforts of the Secretary-General to implement the resolutions of the Security Council and General Assembly on the subject, as well as those of the Organization of African Unity and the League of Arab States to organize the holding of a referendum which would make it possible to achieve the desired results in the interests of the parties concerned.

(Mr. Al-Baker, Qatar)

5. The principles of self-determination must be observed in relation to other Territories, since that right was an inseparable part of the legitimate human rights envisaged in the Charter of the United Nations, the International Covenants on Human Rights and also General Assembly resolution 1514 (XV), which constituted the basis of the Committee's work. Moreover, the administering Powers must provide all necessary information about Non-Self-Governing Territories in accordance with the provisions of relevant resolutions of the General Assembly.

6. South Africa was now at a decisive stage of its development. The apartheid laws, which denied basic rights to the majority of the population of that country had now been repealed. Although that was a positive step, the events involving bloodshed gave cause for concern and indicated an unwillingness on the part of the South African authorities to fulfil their obligations to the population; that situation was impeding the dismantling of apartheid in South Africa and progress towards creating a society in which all citizens would have equal economic, political and social rights.

7. In conclusion, referring to the role of the United Nations in settling questions involving the Non-Self-Governing Territories, he noted the need to support the United Nations so that it would be able to attain its goals.

8. Mr. RICHARDSON (United Kingdom) said that a year previously he had noted that the rhetoric and structures of the past were still in evidence of the work of the Committee. His delegation had hoped that the establishment of a working group to consider the work of the Committee would lead to an improvement in its efficiency and a renewed concentration on the issues which the Committee had originally been established to deal with. Although the conclusions of the informal meetings of the working group correctly identified the concerns felt by a large number of delegations about the language used in Committee resolutions, the practice of referring to extraneous issues and selective name-calling, the debate in the Committee so far suggested that those conclusions would largely be ignored. That could be seen from the draft resolutions and decisions submitted by the Special Committee, which were in essence copies of those of the previous year, and in the comments made by many delegations during the consultations among the "Friends of the Chairman".

9. There were three key issues he wished to address. First was the inability, or unwillingness, of the Committee and of the Special Committee to appreciate the difference between self-determination and independence. It was totally wrong to equate self-determination solely with independence and to forget that there were other options available. The wishes of the people who lived in dependent Territories were of primary importance. His Government took seriously its obligations under the Charter to develop self-government in its dependent Territories and, in cooperation with the locally elected governments, to ensure that their constitutional frameworks continue to meet the wishes and aspirations of their peoples.

(Mr. Richardson, United Kingdom)

10. The United Kingdom also took seriously its obligations in responding to the economic needs of the people of its dependent Territories. In that respect, he drew attention to the draft resolution on the question of foreign economic interests submitted by the Special Committee which, once again, ignored completely the benefits that foreign economic interests brought to dependent Territories. Without those foreign economic interests many of the dependent Territories would be much worse off. For example, Bermuda had a per capita income of $US 29,100 and relied heavily on foreign economic investment and international finance. It was high time to recognize the positive and beneficial role of foreign investment, especially in small islands with limited capital and few natural resources of their own.

11. The third issue which needed to be addressed was the extraneous matters which the Committee insisted on considering, even though they were of no direct concern to it. The most obvious example was the question of apartheid. His Government shared with all other members of the Committee the goal of the abolition of apartheid. However, the independence of Namibia had removed any justification for apartheid to be a matter for consideration in the Committee. There was no link between the situation in South Africa and the interests of far-away Non-Self-Governing Territories. The insistence of the Special Committee on producing a draft decision on military activities was equally incomprehensible. That subject did not even appear on the list of agenda items which had been allocated to the Committee by the General Assembly.

12. It was clear that little substantive change had occurred in the Fourth Committee's attitudes to the subjects on its shrinking agenda. That situation was all the more depressing in that great changes had taken place in the world. There was an urgent need for a reform of the Committee to make it more responsive to the reality of the outside world. That would not be achieved simply by amalgamating resolutions or decisions. The Committee must stop talking about apartheid and so-called military activities. Some agenda items could with advantage be considered biennially, and steps should be taken to merge the Committee with the Special Political Committee, given the relative light workload of both of them.

13. Miss OBI (Nigeria) said that the cluster of agenda items under consideration by the Committee represented the core of the work of the United Nations in the field of decolonization. They should therefore be addressed with the seriousness they deserved. The Committee had been established to follow the issues of decolonization and bring all colonial Territories to independence. Efforts to trivialize that question were very disturbing. There seemed to be a trend to push aside the substantive agenda of the Committee and devote too much attention to the question of rationalizing its work. The issue of rationalization should not cloud the Committee's consideration of the main items before it. Procedural issues could be addressed during the intra-sessional period.

(Miss Obi, Nigeria)

14. Turning to agenda item 19, she said that further efforts were required to eradicate colonialism and that all the remaining Territories, regardless of their size or population, should be allowed to exercise their right to self-determination.

15. The United Nations had constantly assisted oppressed peoples in their struggle for freedom and dignity. In that connection, her delegation commended the Secretary-General and the Organization of African Unity on the organization of a referendum in Western Sahara, and called upon the parties concerned to cooperate fully with the Secretary-General and to comply scrupulously with the provisions of the United Nations peace plan, in order to find a solution to the problem of Western Sahara.

16. She welcomed the resumption of talks between Portugal and Indonesia under the auspices of the Secretary-General on the question of East Timor, the agreement reached between France and the indigenous population of New Caledonia on the holding of a referendum in 1998, and the decision by Argentina and Great Britain to restore diplomatic relations. That represented a significant step towards a peaceful resolution of the Falkland Islands problem. Other Territories should also be given the right to decide their own fate. Colonialism and the subjection of other lands to foreign domination should have no place in the new world order, whose main features should be the freedom of all colonial peoples, freedom from economic exploitation, freedom from aggression and freedom from underdevelopment.

17. Mr. ALVAREZ (Uruguay) said that the process of colonization had entered its final stage. It was therefore extremely important that the organs of the General Assembly, and in particular the Special Committee, should give closer attention to the problem of the Non-Self Governing Territories. Those Territories should be helped to achieve self-determination. The Fourth Committee should set specific goals for its work, in order to derive maximum benefit from its consideration of various issues with the political support of Member States.

18. Turning to the question of Western Sahara, he said that Uruguay fully supported the implementation of the United Nations peace plan in that Territory and was participating in the United Nations Mission for the Referendum in Western Sahara (MINURSO). Uruguay appealed to the parties concerned to refrain from any actions which could impede the implementation of that peace plan and its holding of the referendum.

19. With regard to the rationalization of the work of the Fourth Committee, he said that work in that area was proceeding in two directions: the use of new formulations and the strengthening of the system of obligations of the administering Powers towards the Non-Self-Governing Territories. As far as the proposed new formulations were concerned, Uruguay shared the view that they should be brought in line with the new world situation. The same approach should be applied to the obligations of the administering Powers, who should endeavour to ensure that those obligations were strictly fulfilled.

(Mr. Alvarez, Uruguay)

20. Although Uruguay believed that consensus was an important form for the adoption of resolutions, it did not support the constant use of the consensus rule as a general method for adoption of resolutions by the organs of the General Assembly, since, in the final analysis, such use could conflict with the principles of articles 2 and 18 of the Charter.

21. Mr. HADGES (Cyprus) said that efforts to ensure the independence of the Non-Self-Governing Territories in accordance with the determination and will of their peoples were of particular concern to his delegation, since Cyprus had itself emerged from colonial domination 31 years previously. Cyprus expressed its solidarity with all peoples struggling for the exercise of their inalienable right to freedom and human dignity.

22. His delegation supported the view that all Non-Self-Governing Territories, regardless of their size or population, should be allowed to fulfil the aspirations of their peoples, without any hindrance, in conditions of democracy and freedom.

23. Cyprus believed that a constant increase in cooperation would undoubtedly enhance the role of the Organization in international affairs and in the maintenance of peace throughout the world, and it welcomed the important role the United Nations was called upon to play in establishing a stabler and more just world order. In that connection, great importance attached to the role of the Special Committee. His delegation did not support the view that the Committee's work was full of anachronisms and failed to reflect the new spirit in international relations. At the same time, efforts should be made to achieve a climate of consensus and cooperation and to adopt appropriate measures based on a careful study of the Special Committee's recommendations.

24. Turning to the question of the transmission by the administering Powers of information under article 73 e of the Charter, he expressed the hope that those Powers would continue to cooperate with the Secretary-General and the Fourth Committee, in accordance with their moral and legal obligations.

25. With regard to the question of Western Sahara, he noted the recent positive changes, in particular the implementation of the cease-fire agreement and the subsequent partial deployment of MINURSO. Cyprus believed that those events constituted an important step towards a just and lasting solution to the Western Sahara conflict. While it recognized the attendant difficulties, Cyprus believed that it was vital for both sides to accept that the ultimate goal was to reach a mutually acceptable solution through the holding of a referendum for self-determination of the people of Western Sahara. The Fourth Committee could make a significant contribution towards the attainment of that goal through the consensus adoption of a resolution encompassing all the elements of a just and lasting solution of the question of Western Sahara.

26. Ms. NIELSEN (Denmark), speaking on behalf of the five Nordic countries, said that they attached great importance to the inalienable right of all

(Ms. Nielsen, Denmark)

peoples of the Non-Self-Governing Territories to self-determination in accordance with their freely expressed political aspirations. In the general debate at the forty-fifth session of the General Assembly the Nordic countries had called on the Fourth Committee to adopt a new, constructive approach to its work and procedures when considering the question of decolonization. In particular, they had pointed out that the Fourth Committee was the only forum in which the vast majority of draft resolutions were not negotiable. A change in that practice would enhance the effectiveness of its work for the benefit of the peoples of the Territories remaining on the Committee's agenda. The Nordic countries noted with regret that, to date, no significant measures had been adopted to that end. They appealed to Member States to review their positions with a view to finding a constructive approach to the issue.

27. The Nordic countries believed that the Fourth Committee should adapt to the progress achieved in the changing world situation. The wording and content of the resolutions should be relevant to the subjects dealt with and in keeping with current developments. While efforts should be made to resolve questions concerning Territories which remained non-self-governing, issues extraneous to decolonization should be excluded from the Committee's work. In particular, the independence of Namibia had rendered superfluous the consideration of the problem of apartheid within the context of decolonization. Apartheid was not an issue in any of the Non-Self-Governing Territories.

28. The Nordic countries saw great merit in proposals put forward during the current session that a general debate should be held, encompassing all the items on the Committee's agenda. In addition, they supported the views expressed on the hearing of petitioners, in particular the idea of encouraging shorter statements with the possibility of providing written information on specific points.

29. The Nordic countries welcomed the draft omnibus resolution on small Territories. In their view, it was an improvement over the texts adopted in previous years. At the same time, the drafts submitted for the Committee's consideration could be shorter and less repetitious. They should avoid contentious wording and the naming of specific countries. The draft resolution on the activities of foreign economic interests should also reflect the beneficial impact of foreign investment on local economies. That and other traditional draft resolutions could usefully be considered on a two-year basis. The draft on military activities should not be repeated in its current form, as it had originally been prepared in the light of specific circumstances in Namibia and, in the opinion of the Nordic countries, had become totally obsolete.

30. Miss MOLEFE (Botswana) said that, although the international community had been working towards the eradication of colonialism since 1945, the struggle was not yet over. The people of Western Sahara also had the right to self-determination and independence. Botswana therefore welcomed the agreement in principle between Morocco and the Frente POLISARIO to the

(Miss Molefe, Botswana)

proposals made by the Secretary-General and the current Chairman of the Organization of African Unity in the framework of their joint mission of good offices. The settlement process in Western Sahara was picking up momentum, as demonstrated by the adoption of Security Council resolution 690 (1991). The referendum, which would give the people of Western Sahara an opportunity to exercise their right of self-determination, was a very important step towards a just and lasting settlement of the conflict in Western Sahara. Her delegation urged all parties involved in the process to cooperate fully in order to arrive at a peaceful settlement. Botswana reiterated its support for the Secretary-General and his Special Representative.

31. The achievements of the Special Committee were the result of the international community's collective efforts to eradicate colonialism. It was her delegation's view that the same collective effort was essential to ensure that the remaining Non-Self-Governing Territories also gained the opportunity for self-determination.

32. Her delegation was aware that each of the remaining Non-Self-Governing Territories had its own unique conditions that must be taken into account. In that connection, it urged all those involved to cooperate fully in the process of giving those Territories an opportunity to determine their political future.

33. Her delegation fully supported the idea that the Committee should review its approach and methods of operation taking into account the changing world situation. Botswana fervently hoped that the new world order would create favourable opportunities for those still under colonialism to exercise their right to self-determination and independence.

34. Ms. DAPUL (Philippines) said that her delegation welcomed the debate over strategies to be adopted in considering the needs of the remaining Non-Self-Governing Territories. It saw the wisdom of taking into account the views of all members of the Committee in an attempt to seek consensus on all the resolutions and decisions that were before it. In that respect, the Philippines supported the Chairman's decision to continue consultations with all delegations.

35. The Philippines continued to uphold the collective commitment to the political, economic and social advancement of the peoples of the 18 remaining Non-Self-Governing Territories. Those Territories, with relatively small size and populations and limited natural resources, shared similar characteristics and faced unique problems. The Philippines maintained that the underlying principles of the Declaration were valid and applicable to the remaining dependent peoples.

36. The Philippines stressed the importance of cooperation between the administering Powers and the United Nations bodies concerned with decolonization. In that regard, it endorsed the idea of regular visiting

(Ms. Dapul, Philippines)

missions to the Territories and the regular provision of timely and up-to-date information on the Non-Self-Governing Territories by the administering Powers to the Secretary-General, as prescribed by Article 73 e of the Charter. The approach to the Non-Self-Governing Territories should place emphasis on the specific conditions of individual Territories, which were at different levels of political, socio-economic and constitutional development. The Philippines acknowledged that, given the economic interdependence of countries in the modern world, small island Territories needed to rely on others to sustain viable development.

37. On the question of New Caledonia, the Philippines was encouraged by the positive developments over the past three years. It noted that a new political structure had been established in New Caledonia involving devolution of powers from the central authorities to new provincial institutions. It also noted the efforts to develop a more balanced political and economic environment from which to proceed to the exercise of self-determination in 1998. It was to be hoped that the foundations for meaningful participation by the inhabitants of New Caledonia in the economic, political and social life of the Territory would be fully laid before then.

38. On the question of Western Sahara, her delegation commended the efforts of the Secretary-General and his Special Representative to implement in full the provisions of the United Nations plan and to secure the continued cooperation of the parties involved. The Philippines fully supported that process, which would lead to a just and lasting settlement of the conflict in Western Sahara through a referendum on self-determination.

39. Mr. VINOGRADOV (Belarus), noting with satisfaction the admission to the United Nations of new members, including Lithuania, Latvia and Estonia, said that since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples dozens of colonial Territories had become independent, and in that historic process the United Nations and its working bodies concerned with decolonization had played a prominent role. With Namibia's accession to independence, a new phase in the process of decolonization had begun, which should lead to the full implementation of the Declaration by the end of the century. It was very important that the valuable experience acquired by the United Nations in the process of solving the Namibian problem should be actively used in other regions.

40. Over the past year significant progress had been achieved in Western Sahara; Belarus hoped that the efforts of the United Nations and its Secretary-General in solving that problem would be equally effective and that the opposing sides would show flexibility and good will and would cooperate with the United Nations.

41. When considering the problems of decolonization, it was impossible to disregard such vital matters as economic and military activities in the Non-Self-Governing Territories. His delegation believed that the activities of foreign economic interests in those Territories, if carried out on a just

(Mr. Vinogradov, Belarus)

basis, were definitely useful, since they afforded the Territories additional opportunities for social, economic and cultural development, which was indisputably a vital condition for self-determination. The activities of foreign capital should not be unregulated, however, or they would inevitably conflict with the vital interests of the peoples of the Territories and obstruct the exercise of the right of self-determination.

42. With regard to military activities in the Non-Self-Governing Territories, Belarus believed that those Territories should not be used for the deployment and testing of weapons of mass destruction, or for the burial of nuclear, chemical and other wastes, since those practices could lead to irreversible ecological changes.

43. The constructive efforts being undertaken to improve the methods of work of the Special Committee were of great importance. In the view of his delegation, efforts in that direction must be continued.

44. Some delegations had recently drawn attention to the need to rationalize and improve the effectiveness of joint work and take fuller account of the new political realities. Those views were well founded and could be supported. That applied, in particular, to the proposal to merge the Fourth Committee with the Special Political Committee, which could be implemented with the Fourth Committee as a basis and with a full understanding of the importance of the questions under consideration in the two bodies.

45. Mr. ZEINELDDIN (Islamic Republic of Iran) said that the Organization's customary definition of "colonialism" did not include the whole phenomenon in its various forms and manifestations throughout the world. From the point of view of the United Nations, only 18 Territories were still under the colonial rule of administering Powers. The non-listed territories under the colonial rule of a number of powerful States served as examples of that phenomenon and highlighted the urgent need to review the definition of colonialism.

46. Since the last session of the General Assembly, the international community had achieved a number of successes in the area of decolonization. The Special Committee on decolonization had reconsidered its mandate and reorganized the structure of its work; instead of following the practice of previous years, when resolutions had been adopted separately for each Territory, an omnibus resolution had been adopted for dealing with the remaining Non-Self-Governing Territories by consensus; and the Subcommittee on Small Territories and the Subcommittee on Petitions, Information and Assistance had merged. The Committee had also reviewed the language of a number of its resolutions.

47. The restoration of the practice of regular visiting missions to Territories and the receiving of timely and up-to-date information about them continued to be within the Committee's scope. The question of sending visiting missions, which had been raised in the report of the Working Group

(Mr. Zeinelddin, Islamic Republic of Iran)

(A/AC.109/L.1756), had been reflected in the informal conclusions derived from the informal meetings of the Fourth Committee and the informal proposal of its current Chairman.

48. The Ministerial Conference of the Non-Aligned Movement, meeting in Accra, had forwarded its proposal to the Secretary-General for the action plan for the eradication of colonialism. The proposal reiterated that it would be beneficial for the Secretary-General or his Special Representative to visit each Territory as soon as possible during the current decade and raised other key points, including the important role that the Special Committee and the Fourth Committee could play in implementing the action plan, as well as the need to improve cooperation between the administering Powers and the Special Committee in that regard.

49. His delegation hoped that the goal of eradicating colonialism could be attained in the current decade. Priority measures should include an appeal by the United Nations to the current administering Powers to provide a realistic timetable for self-determination in each of their respective colonial Territories in accordance with the Organization's principles and practices.

50. Concerning the question of Western Sahara, the implementation of the plan to be followed by the United Nations Mission for the Referendum in Western Sahara established in Security Council resolution 690 (1991), was the best solution for the people of that Territory. The cease-fire in effect since 6 September 1991 represented significant progress that should be followed by further steps, which the parties concerned should comply with the principles of the plan.

51. In conclusion, he emphasized the need for even greater constructive cooperation within the Fourth Committee in working towards a definitive solution of the problem of decolonization. To that end, the administering Powers must continue to consult with the Fourth Committee and the relevant United Nations organs. For its part, the Organization must formulate effective and practical measures so as to step up its efforts to bring colonialism to an end during the current decade. In that connection, the basic direction of the decolonization process in the Non-Self-Governing Territories must be determined, which might include actions to bring about the political and economic conditions needed for the peoples of the Territories to speed up the process of self-determination and the creation of mechanisms to guarantee new States resources, support and genuine international solidarity, particularly during the early stages of their independence.

52. Mr. MASCARENHAS (Cape Verde) said that current international relations had undergone significant changes: norms, principles, values, interests and strategies were being reconsidered. Yet notwithstanding the extensive discussion of basic human rights and freedoms, the equality of peoples and their right to self-determination, the international community continued to

(Mr. Mascarenhas, Cape Verde)

look on passively while those rights and freedoms were violated in various regions of the world. In the view of his delegation, the situation in East Timor was a typical decolonization question.

53. Mr. SRIVIDJAJA (Indonesia), speaking on a point of order, said that the reference by the representative of Cape Verde to the question of East Timor was inconsistent with the report of the General Committee (A/46/250), in accordance with which consideration of that question would be deferred to the forty-seventh session of the General Assembly. He asked the Chairman to draw the previous speaker's attention to the need to abide by the agenda.

54. The CHAIRMAN asked the representative of Cape Verde to continue his statement, bearing in mind the remarks of the previous speaker.

55. Mr. MASCARENHAS (Cape Verde), continuing his statement, said that the history of the occupation of East Timor was well known. The will of the people of Timor to decide its destiny independently, free of interference or colonial domination, had been demonstrated in the armed struggle that had been going on for many years and in the refusal to cooperate with the colonial authorities. The question of East Timor had appeared on the agenda of the General Assembly for many years and was awaiting a settlement. The time had come for the United Nations to help the people of Timor realize its right to self-determination. The expression of the free will of the people of East Timor in a referendum organized by the United Nations and conducted under its control represented the sole peaceful, fair and democratic solution to the problem.

56. Mr. SRIWIDJAJA (Indonesia), speaking on a point of order, again noted that the reference to the question of East Timor during the general debate on another agenda item before the Fourth Committee was out of order.

57. Mr. JESUS (Cape Verde), speaking on a point of order, agreed with the representative of Indonesia that the question of East Timor was not under discussion in the Fourth Committee as a separate agenda item, because consideration of the question had been deferred to the forty-seventh session of the General Assembly in order to give the Secretary-General the opportunity to find a way to settle the question. Nevertheless, the absence of the item from the agenda of the forty-sixth session by no means meant that delegations could not refer to the question when discussing the problem of decolonization. He asked that his delegation be allowed to conclude its statement.

58. Mr. MASCARENHAS (Cape Verde), continuing his statement, said that the recent joint action by the five permanent members of the Security Council to restore Kuwait's sovereignty had demonstrated unequivocally that the United Nations was able to ensure respect for the principles and rules embodied in the Charter. Those States could play an equally significant role with respect to East Timor. But other efforts on the part of the United Nations and the Secretary-General in particular to attain that goal would also be welcome.

(Mr. Mascarenhas, Cape Verde)

His delegation hoped that, in the light of the values the idea of a new world order embodied, the question of East Timor would take the place it deserved in the agenda of the United Nations.

59. His delegation hoped that the peace process going forward in Western Sahara would be successful and fully supported the Secretary-General's efforts in that respect. The settlement of the problem would require close cooperation by the Members of the United Nations concerned, and particularly their representatives on the spot. It was extremely important that the actions of the parties to the dispute should be open. They should fulfil their commitment to carry out the plan in the spirit intended by the Security Council.

60. Mr. IBANEZ (Bolivia) said that the fact that the number of Members of the United Nations had tripled since its founding was convincing evidence of the effectiveness of its work in the field of decolonization. The international community should not forget its responsibility to ensure that the administering Powers complied strictly with Article 76 of the Charter. It was also necessary to take into account the special circumstances of each Territory and the freely expressed will of its people, and to promote respect for human rights and fundamental freedoms. That was the foundation on which fulfilment of the rights and obligations governing the peaceful coexistence of States at the international level and the relations between groups in each of the States acceding to independence should be based. To complete that task it would be necessary to put the activities of the visiting missions, which in the past had been dispatched only at irregular intervals, on a more systematic basis. It was necessary to exercise more vigilance to ensure that the indigenous populations were informed of the possibilities their natural resources offered them and the ways in which those resources could be exploited for their collective benefit. It was likewise necessary to ensure the protection of the environment and to prevent any use of a Trust Territory for criminal purposes such as narcotics smuggling or the laundering of money obtained from the drug trade. It was also necessary to ensure that agricultural land was equitably distributed and that the local authorities had the necessary power to prohibit the use of the Trust Territory for nuclear testing or the testing of weapons with nuclear warheads.

61. His delegation hoped that the last vestiges of colonialism would be eradicated by the year 2000. The length of the decolonization process and the small number of Non-Self-Governing Territories remaining had been offered as justifications for a proposal which, although rational from a financial point of view, did not meet the requirements for an orderly transition to independence. His delegation therefore felt that no attempt should be made to hurry the work by the adoption of omnibus resolutions and that it would be preferable to retain the previous procedure of examining in detail the progress achieved in each Territory, as provided for in Articles 87 and 88 of the Charter.

(Mr. Ibanez, Bolivia)

62. His delegation could not agree with some of the critical comments made concerning the Special Committee's recommendations. Errors and delays did not detract from the significance of the work accomplished. At the same time, no significant advance had been achieved with respect to some questions which had seemed on the verge of solution. For example, in the case of Western Sahara, the delay in the holding of the referendum seemed to be due to the delay in revising the electoral lists. The revision and verification of those lists had been agreed to by the parties to the dispute. But the completion of the list of inhabitants of Western Sahara who had the right to participate in the referendum had been made difficult by the large-scale migrations resulting from the civil war as well as the migratory habits of the inhabitants of the Territory. It was to be hoped, however, that the Secretary-General's representative would be able to overcome the obstacles to the implementation of Security Council resolutions 621 (1988) and 690 (1991).

63. Draft decision I, "Question of Pitcairn" (A/46/23) (Part VI) seemed to contain contradictory elements. In the draft decision, the General Assembly reaffirmed "the responsibility of the administering Power to promote the economic and social development of the Territory" and urged the administering Power "to continue to respect the very individual lifestyle that the people of the Territory have chosen and to preserve, promote and protect it". In so doing, it failed to take into account the fact that custom often involved not deliberate choice but a continuation of inherited practices which were not always conducive to respect for human rights and concern for the condition of women, children and the aged. It must be remembered that the lifestyle of the population, particularly with respect to food, the integrity of the person, respect for the individual and recreation did not always meet the needs of social development. Also, in the case of American Samoa, the population figure did not include 80,000 Samoans living in the United States.

64. With respect to the Report of the President of the Economic and Social Council (E/1991/116) on measures for the coordination of the assistance of the specialized agencies and other international organizations, he pointed out that such assistance was extended not only by organizations of the United Nations system but by institutions such as CARICOM and by countries having traditional ties with the regions in which the Territories were located.

65. The CHAIRMAN informed the Committee that a delegation wished to exercise its right of reply and drew attention to the rules of procedure governing such statements.

66. Mr. SRIWIDJAJA (Indonesia), speaking in exercise of the right of reply, said that he did not dispute the view expressed by the representative of Cape Verde that in discussing decolonization questions delegations had the right to deal with any subject. But that did not extend to the problem of East Timor. With respect to that Territory, the decolonization process had been carried out in accordance with the United Nations Charter and General Assembly resolutions 1514 (XV) and 1541 (XV). Consequently, on 17 July 1976 East Timor

(Mr. Sriwidjaja, Indonesia)

had officially joined the Republic of Indonesia as its twenty-seventh province. As he had stated earlier, consideration of the question in the Fourth Committee was improper and constituted interference in the internal affairs of a sovereign State. Obviously, allusions to a so-called question of East Timor would not help to create an auspicious atmosphere for the visit by a Portuguese delegation to East Timor.

67. Mr. MASCARENHAS (Cape Verde), speaking in exercise of the right of reply, said that members of the Committee had no doubt that the problem of East Timor was directly related to the subject of decolonization. It was therefore within the competence of the United Nations and if the Indonesian delegation considered that it fell within the exclusive competence of Indonesia, it would be appropriate for the representatives present at the meeting to decide on the validity of that statement.

68. Mr. SRIWIDJAJA (Indonesia), speaking in exercise of the right of reply, said that he wished only to reiterate the very clear position of his delegation.

Question of Western Sahara

69. The CHAIRMAN informed the Committee that Cyprus had joined the sponsors of draft resolution A/C.4/46/L.2.

70. Mr. BENJELOUN (Morocco) asked whether any delegations had dropped out of the list of sponsors of the draft resolution.

71. The CHAIRMAN pointed out that in accordance with the usual procedure a corrigendum to draft resolution A/C.4/46/L.2 would be issued containing a revised list of all sponsors of the draft resolution.

The meeting rose at 12.30 p.m.

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

Official Records

FOURTH COMMITTEE
12th meeting
held on
Thursday, 24 October 1991
at 10 a.m.
New York

SUMMARY RECORD OF THE 12th MEETING

Chairman: Mr. FLEMMING (Saint Lucia)

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued) (A/46/23 (Parts V-VI), A/46/201, 336, 344, 359, 409; A/AC.109/1056-1059, 1060-1063, 1064 and Corr.1, 1065-1067, 1068 and Corr.1, 1069-1071, 1073, 1074 and Corr.1, 1075, 1077, 1078, 1079 and Corr.1, 1082; A/AC.109/L.1761; E/1991/116; S/21360 and S/22578)

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Question of Western Sahara

1. The CHAIRMAN announced that the report of the Secretary-General on the question of Western Sahara had been issued as document A/46/589 and that the Federated States of Micronesia had joined the sponsors of draft resolution A/C.4/46/L.2.

General debate (continued)

2. Mr. DOUGLAS (Grenada) referred to the active participation by Caribbean Non-Self-Governing Territories in the activities of such subregional institutions as the Organization of Eastern Caribbean States, the Caribbean Development Bank, CARICOM, the University of the West Indies and the Caribbean Group for Cooperation and Economic Development and expressed concern at the lack of direct communication between the United Nations and the peoples of those Non-Self-Governing Territories and the very infrequent dispatch of visiting missions.

3. In view of the difficulties involved in organizing visiting missions, Grenada supported the holding of United Nations seminars on decolonization alternately in the Caribbean and Pacific Ocean regions. In 1990, information had been submitted to the Fourth Committee and the Special Committee on the results of the seminars held that year in Barbados and Vanuatu to mark the thirtieth anniversary of the signing of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

(Mr. Douglas, Grenada)

4. To underline the importance of participation by the administering Powers concerned, his delegation called on the Secretary-General and the Chairman of the Special Committee to intensify their consultations with the administering Powers in order to secure their fullest cooperation in the work of the Special Committee, including the reinstatement of regular United Nations visiting missions.

5. His delegation noted with satisfaction the initiatives launched in the Fourth Committee at the previous session to reform the methods and approach of the United Nations with regard to decolonization and was prepared to cooperate fully in such endeavours.

6. Mr. MAHMOUD (Ethiopia) said that his Government supported the efforts of the Secretary-General of the United Nations and of the current Chairman of the Organization of African Unity to bring about a peaceful resolution of the question of Western Sahara. A peaceful settlement of the question of Western Sahara in accordance with the proposals accepted by the two parties and the Secretary-General's plan approved by Security Council resolution 658 (1990) would make a positive contribution to the stability and peace of the Maghreb region and of Africa as a whole.

7. His delegation endorsed the report of the Secretary-General on his plan for the implementation of the proposals for a settlement of the question of Western Sahara and urged the parties to the conflict to be more cooperative in that regard. In that connection, he appealed to the parties to the conflict to refrain from taking actions that could adversely affect the successful implementation of the settlement plan.

8. Since protracted and strenuous efforts had been made by the United Nations and the Organization of African Unity to produce the plan for a peaceful settlement of the problem of Western Sahara, it was incumbent upon the Committee to encourage all efforts aimed at its implementation.

9. Mr. MAREHALAU (Federated States of Micronesia), speaking on behalf of the nine States members of the South Pacific Forum, said that, despite the dramatic progress achieved in the process of decolonization, efforts to bring about the universal realization of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples should not be relaxed. The Fourth Committee had a special responsibility in that regard.

10. At the most recent meeting of the South Pacific Forum, held in the Federated States of Micronesia on 29 and 30 July 1991, the Heads of Government of the South Pacific Forum countries had once again reaffirmed the importance of the universal realization of the right of peoples to self-determination in accordance with the Charter of the United Nations and the principles and practices of the United Nations pertaining thereto.

11. As was well known, the South Pacific was one of the regions in which the practice of colonialism had in the past been all but universal. Even now, the

(Mr. Marehalau, Federated States of Micronesia)

region contained many of the world's remaining Non-Self-Governing Territories. Of those Territories, New Caledonia had been and remained the object of close scrutiny by the countries of the region.

12. The Forum countries had acknowledged the constructive actions being taken by all involved to facilitate the further development of the close links which existed between the people of New Caledonia, particularly the indigenous Kanaks, and other peoples of the South Pacific. They had also noted the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote equitable political, economic and social development in the Territory in order to provide a framework for its peaceful evolution to self-determination. They had also stressed the great importance of transparency in the preparation of the electoral rolls and of continued dialogue among all the parties involved in New Caledonia in preparation for an act of self-determination consistent with the principles and practices of the United Nations, in which all options, including independence, would be open, and which would safeguard the rights of the indigenous Kanaks and those of all other New Caledonians.

13. They had also expressed the hope that the French authorities would expand their assistance in the field of education and vocational training for the Kanak population, in order to ensure that all the inhabitants of New Caledonia were able to exercise their right to self-determination under the best possible conditions.

14. Turning to the draft resolution recommended by the Special Committee, he said that the South Pacific Forum countries which were also Members of the United Nations wished to point out that, in previous years, the Committee and the General Assembly had adopted resolutions on the question of New Caledonia by consensus. At the current session, the proposed text reflected many, although not all, of the concerns which the countries of the South Pacific region regarded as being both relevant and important. None the less, recognizing the progress that had been made, and in particular the return to peaceful conditions in the Territory, the Forum countries supported the draft resolution and urged its adoption.

15. In conclusion, he said that, speaking as Permanent Representative of the Federated States of Micronesia and on behalf of the people of Micronesia, he wished to express gratitude to all members of the Committee, who had provided constant encouragement during the period of trusteeship, and also to the members of delegations and the staff of the Secretariat who had taken part in visiting missions and had carried out various other tasks.

16. Mr. MARTINEZ BOUE (Cuba) said that, since the adoption of General Assembly resolution 1514 (XV), the Special Committee and the Fourth Committee had been playing an important role in the field of decolonization. There were no grounds, however, for complacency regarding the progress achieved, and the fate of those who had not yet attained freedom should not be forgotten.

(Mr. Martinez Boue, Cuba)

17. He noted that appeals had been made in the Fourth Committee with regard to the need to find wording based on consensus and to refrain from definitions which, according to some, were pejorative, to avoid referring to specific colonial Powers, and to try to rationalize the Committee's work. The view had also been expressed that the lessening of tension in relations between East and West, and also the changes which had taken place in international relations, provided a sufficient basis for such an approach. However, it was impossible not to ask in what way the relaxation of tension between the great Powers and the new spirit of the times, to which reference was constantly being made, also promoted the process of decolonization. Some speakers had also expressed the view that colonialism and apartheid, as well as their consequences, were the result of the "cold war", and that, with its end, such phenomena would disappear of themselves. In fact the situation of the colonial Territories had not essentially changed - their economies remained virtually entirely dependent on the colonial Powers and other foreign circles; in many of those Territories there were still military bases and installations which constituted an obstacle to implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; despite the changes that had occurred in the world, societies continued to come into being which were based more on models of the colonial Powers than on the historical, cultural, linguistic and moral values to be found in those Territories; and in some Territories every means was being used to ensure that the local population not only recognized, but also adopted, models previously established by the colonial Powers.

18. It was suggested that some of the resolutions submitted to the Fourth Committee by the Special Committee were outdated and had lost their relevance. His delegation firmly rejected that approach and regarded it as a slap in the face for the members of the Committee. It should be recalled that many provisions of the Special Committee's resolutions, although similar to provisions adopted in previous years, had had to be included once again solely because they had not elicited the anticipated response from the colonial Powers.

19. His delegation was firmly convinced that the work of the Special Committee should be assessed on its own merits, and that the Committee had the right, if its members so wished, to continue its activities along the lines they had chosen in order to find solutions to the problems of colonialism and to arrive at appropriate recommendations.

20. His delegation called on those who had brought colonial problems into existence to refrain from rhetoric and to demonstrate in practice their adherence to the cause of decolonization by adopting positive measures to facilitate effective and full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. They must show that, in the field of decolonization, the spirit of change and renewal also prevailed, thus enabling peoples still under the colonial yoke to exercise their rights at the earliest possible opportunity. It was not acceptable that the Organization should become the instrument of any group of States, however powerful they might be.

(Mr. Martinez Boue, Cuba)

21. He observed that, until colonialism had been eradicated, the Committee's work could not be regarded as completed. It was essential to continue to apply pressure at the international level to the Pretoria regime and to give support to the "front-line" States and the national liberation movements of South Africa. The deprivations to which they had been subjected over many decades as a result of that odious practice would not be effaced by watering down the wording of the text to be adopted or by failing to call a spade a spade.

22. Referring to the question of Western Sahara, he said that Territory seemed to be on the verge of exercising its right to self-determination and independence under the auspices and monitoring of the United Nations. His delegation fully supported the plan for a settlement submitted by the Secretary-General, and welcomed the deployment in the Territory of the United Nations Mission for the Referendum in Western Sahara (MINURSO), which would be of assistance in enabling the people of the Sahara to exercise their right to self-determination.

23. Mr. IBRAHIM (Egypt) said that one of the most important problems currently under consideration in the Fourth Committee was that of Western Sahara. His delegation attached particular significance to that issue, for the reason that the Territory was situated in the African continent. The question was directly linked to the right to self-determination, and its solution by peaceful means would lead to closer cooperation between the Maghreb countries. Moreover, by bringing to a conclusion the process through which the people of the Sahara would exercise their free choice, the United Nations would enhance its opportunities in the field of peace-keeping and would promote implementation of the principles of the Charter, while demonstrating the desire of members of the international community to participate, on a basis of equal rights, in the solution and settlement of disputes in accordance with the principles and purposes of the Charter.

24. In his delegation's view, consideration of the question of Western Sahara at the current session took on special significance, and should be distinguished from its consideration the previous year. Since the adoption of General Assembly resolution 45/21 of 20 November 1990, the Security Council had adopted resolution 690 (1991) of 29 April 1991, pursuant to which the United Nations Mission for the Referendum in Western Sahara had been established. His delegation was convinced that cooperation between the interested parties, in conjunction with effective action by, and the expertise of, the Secretary-General, as well as political support from the international community, would ensure the success of the Mission and would enable the people of the Sahara to exercise free choice and their right to self-determination.

25. He noted that the General Assembly and the Security Council had adopted their resolutions on that question unanimously. In his delegation's view, it would be wholly appropriate to preserve consensus among all the interested parties in regard to any resolution to be adopted by the Fourth Committee, inasmuch as it would usefully supplement the United Nations plan and the efforts of the Secretary-General.

26. Mr. SAVUA (Fiji) said that his delegation supported the statement made by the representative of the Federated States of Micronesia. Clear successes had been achieved in the decolonization process. The attainment of independence by the Baltic States, the Federated States of Micronesia and the Republic of the Marshall Islands, and the admission of those countries together with the two Korean States to membership in the United Nations gave hope that the remaining 18 Non-Self-Governing Territories would achieve independence by 2000. The administering Powers must play a major role in educating and guiding the peoples of their Territories to ensure that they fully understood the choices presented to them. The visiting missions of the United Nations did useful and very important work and they should continue to be dispatched.

27. On the question of New Caledonia, his delegation welcomed the decision by France to allow three ministers from the South Pacific Forum to visit the Territory. The visit provided a means of monitoring the actual progress of the implementation of the various phases of the programme of action worked out under the Matignon Accords. It was to be hoped that such visits would continue right up to the scheduled referendum in 1998.

28. His delegation had always believed that not all foreign economic interests were exclusively self-serving. Many corporations, while pursuing profits, also made a significant contribution to the development of the host countries. The United Nations Centre on Transnational Corporations deserved commendation for its efforts to remove major differences between corporations and countries. For their part, the headquarters countries of transnational corporations must assist with the drafting and enforcement of guidelines to ensure that the corporations acted justly and responsibly towards the developing countries in which they operated. However, mention must also be made of the destabilizing influences of other foreign interests which continued to operate in countries after they became independent. That was a typical experience of many former Non-Self-Governing Territories.

29. Although the Committee's attention should be focused on the remaining 18 Non-Self-Governing Territories, the other issues must not be forgotten. Thanks to the efforts of the Secretary-General and Member States considerable progress had been achieved in several areas. Examples of such progress were the establishment of MINURSO, the events in South Africa, and the opening of talks between South Africa and Namibia with a view to reaching an agreement on Walvis Bay.

30. Mr. VAN LIEROP (Vanuatu) said that as a member of the South Pacific Forum Vanuatu fully supported the statement made by the representative of the Federated States of Micronesia. In recent years doubts had been expressed about the relevancy of focusing attention on the problem of Non-Self-Governing and Trust Territories. With the independence of Namibia and the progress towards solution of the problem of Western Sahara, such doubts had been expressed even more frequently. However, the admission of seven more countries to membership in the United Nations indicated not only the progress made but also how much still remained to be done before the process was complete. Although the international community was certainly faced with other

(Mr. Van Lierop, Vanuatu)

urgent problems, a number of difficult decolonization issues remained to be solved, and the topic had lost none of its urgency.

31. The Committee was concerned with the problems of those Territories which were still listed as Non-Self-Governing. It must be recognized that perhaps not all of them were anxious to acquire political independence. But all of them deserved equal consideration, equal opportunity and equal justice. The same applied to the Territories which, although not currently on the list, were still not free to govern themselves. South Africa was a case in point.

32. The view was held that the problem of apartheid should not be discussed in the Committee, but his delegation could not agree with that view, for colonialism and apartheid were closely interrelated. It was an indisputable fact that the current economic and social order had been imposed in the earliest days of the colonial era. In any land it was the people living there who must govern, but that principle was not observed in South Africa. South Africans had never been free to choose their form of government, participate in the drafting of a constitution or laws, or determine the nature and shape of their State. A similar situation existed for Palestine and a number of other lands.

33. All those issues must be approached with the same objectivity and the same standards, regardless of the region concerned. In some countries of Europe measures were currently being taken to make restitution for the harm done to people whose personal freedom or right to own property had been restricted by past regimes. Yet it was difficult to cite even one example of similar restitution made to victims of colonialism or apartheid. That was evidence of the application of a double standard in different situations.

34. During the debate on the item a number of useful comments had been made which would contribute to the successful completion of the International Decade for the Eradication of Colonialism. In particular, the statement made by the representative of Netherlands on the questions of Western Sahara and East Timor and by the representative of France on the question of New Caledonia deserved commendation. Vanuatu noted with satisfaction the positive measures taken by France and the people of New Caledonia to ensure civil tranquillity and address the problem of the political, economic and social imbalances in the Territory.

35. The new ideas put forward during the debate could help to improve the Committee's working methods and thus benefit the remaining Non-Self-Governing Territories. His delegation continued therefore to support proposals to make the language of the Committee's resolutions more precise, concise and acceptable in tone, and the proposal to add the items considered by the Special Political Committee to the agenda of the Fourth Committee as a means of further rationalizing and enhancing the work of the United Nations.

36. Mr. MESSAOUD (Tunisia) said that recent events on the international stage had undoubtedly helped to create an atmosphere of détente and cooperation

(Mr. Messaoud, Tunisia)

throughout the world and to produce the first elements of the emerging new world order. That trend had considerably eased the noble task of the United Nations and strengthened its position enabling it to discharge more effectively its functions and obligations in accordance with the principles and purposes of the Charter.

37. One of those principles, vital in the past, present and future, was the right of peoples to self-determination, and that would remain a topical issue as long as there were people in the world who were denied the opportunity freely to determine their future. Despite the enormous achievements of the United Nations in the elimination of colonialism, even greater efforts must be made in order to put an end to that shameful phenomenon and rid mankind of all forms of oppression, hegemony and domination. His own country had travelled a long and difficult road to independence and remained just as determined as ever to support the efforts of the United Nations to secure strict observance of the principle of self-determination. In that connection his delegation called upon the administering Powers to show a willingness to cooperate with the relevant organs of the United Nations and help them to do their work.

38. The Organization had set the goal of eliminating colonialism by 2000. That commitment had been solemnly confirmed during the celebration at the forty-fifth session of the General Assembly of the thirtieth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Today the international community could note with satisfaction the successes reflected in particular in the Committee's agenda, which had grown steadily shorter as time went by. In view of the substantial progress already made, it was obvious that the Committee should now reorient its activities and adapt its working methods to the new situations and the specific nature of the unresolved issues. His delegation had joined in the efforts to restructure the Committee's work and supported in principle many of the proposals put forward in that regard. But the restructuring must in no way divert the Committee from its specific purpose, i.e., to work for the elimination of colonialism.

39. Tunisia had noted with great satisfaction the plan for settlement of the conflict in Western Sahara drawn up by the United Nations and confirmed by the Security Council. The cease-fire achieved on 6 September 1991 was particularly encouraging, as was the gradual introduction of the machinery for guaranteeing the self-determination process. Tunisia, which together with other Member States was taking part in the work of MINURSO, awaited impatiently the successful completion of the process.

The meeting rose at 11.40 a.m.